

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**IN RE: OIL SPILL by the OIL RIG  
“DEEPWATER HORIZON” in the  
GULF OF MEXICO, on  
APRIL 20, 2010**

**Relates to: *All Cases.***

\* **MDL NO. 2179**  
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\* **SECTION: J**  
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\* **JUDGE BARBIER**  
\* **MAG. JUDGE SHUSHAN**

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**PRE-TRIAL ORDER NO. 18**

**[Governing the Discovery of Experts]**

Upon the Stipulation of all Liaison Counsel, and to promote judicial efficiency:

**IT IS ORDERED THAT:**

With respect to any person or entity whom a party to these proceedings expects to call as a witness to present expert testimony or other evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence, the amended provisions of Federal Rules of Civil Procedure 26(b)(4)(B) and 26(b)(4)(C) which become effective on December 1, 2010, shall apply retroactively to April 20, 2010, governing the discovery conducted in all actions or claims falling within this Multi-District Litigation (MDL) proceeding, irrespective of when the action or claim in question was originally

filed.

Further, any fees charged by an expert for responding to discovery, including time spent at depositions, shall be paid by the party who has retained the expert.

New Orleans, Louisiana this 1st day of December, 2010.

  
United States District Judge