

**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**

This document relates to:

ALL CASES

MDL No. 2179

SECTION: J

JUDGE BARBIER

MAGISTRATE JUDGE WILKINSON

FOURTH AMENDMENT TO PRETRIAL ORDER NO. 59

Pretrial Order No. 59, as amended,¹ is hereby further amended as follows:

1. Paragraph 30 of PTO 59 is amended as follows: “The FCC shall prepare one or more proposed Allocation Recommendation(s) for each Fee Applicant that submitted a Fee Affidavit as expeditiously as is reasonably feasible, in coordination with the Special Master, or upon further order of the Court. The FCC shall provide to each Fee Applicant notice of the FCC’s proposed Allocation Recommendation(s).”

2. The FCC is authorized and directed to make one or more proposed Allocation Recommendations not only in connection with the Aggregate BP Common Benefit Cost and Fee Award,² but also with respect to the common benefit fees earned in connection with the States’ economic loss settlements,³ and with respect to any common benefit fees that may be awarded in connection with the Halliburton and Transocean Settlements.⁴

¹ PTO 59 is Rec. Doc. 14863. The first, second, and third amendments to PTO 59 are Rec. Docs. 15828, 16020, and 18641, respectively.

² Rec. Doc. 21849.

³ See Rec. Docs. 15437 and 15441.

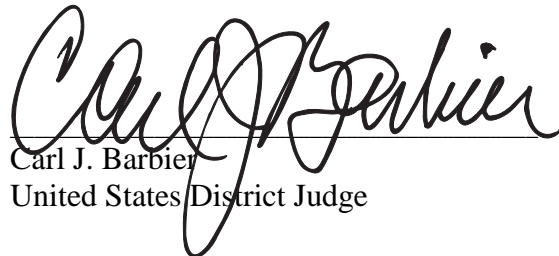
⁴ See Rec. Docs. 14644-1 and 15322-1.

3. In making such proposed Allocation Recommendation(s), the FCC is, consistent with the Third Amendment to Pretrial Order No. 59, authorized and directed to consider the complete body of common benefit costs and/or hours by each Fee Applicant from April 20, 2010 through the date of the proposed Recommendation that were submitted in compliance with Pretrial Order No. 9 (as amended) and Pretrial Order No. 59 (as amended).⁵

4. Paragraph 32 of PTO 59 is amended as follows: “By no later than 60 days after the receipt of any timely objection(s) to the FCC’s proposed Allocation Recommendation, the FCC shall submit its final Allocation Recommendation for each Fee Applicant to the Special Master. The FCC shall provide to each Fee Applicant notice of the FCC’s final Allocation Recommendation(s).”

All other provisions of PTO 59 and the First, Second, and Third Amendments to PTO 59 remain in effect.

New Orleans, Louisiana, this 10th day of November, 2016.


Carl J. Barbier
United States District Judge

⁵ Therefore, the Request for Attorney’s Fees (Rec. Doc. 21720, 21739) submitted in connection with the HESI and Transocean Settlements is moot, as it is already subsumed within the previous submissions to Phil Garrett and the Fee Committee.