FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
2013 JAN -3 AM 10:40
LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INFORMATION FOR CLEAN WATER ACT VIOLATION

UNITED STATES OF AMERICA	*	**CRIMINAL NO.**	**13-001**
v.	*	**SECTION:**	**SECT. H MAG. 1**
TRANSOCEAN DEEPWATER INC.	*	**VIOLATIONS:**	**33 U.S.C. § 1319(c)(1)(A)** **33 U.S.C. § 1321(b)(3)**
	*		

* * *

COUNT ONE
(Clean Water Act Violation)

THE UNITED STATES DEPARTMENT OF JUSTICE CHARGES THAT:

At all times relevant to this Information:

1. Defendant TRANSOCEAN DEEPWATER INC. ("defendant TRANSOCEAN"), headquartered in Houston, Texas, was a wholly-owned subsidiary of Transocean Ltd., a multinational corporation which provided well drilling and other services to energy companies (collectively "Transocean"). Defendant TRANSOCEAN resided in, and engaged in regular business throughout,

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the states bordering the Gulf of Mexico, including in the Eastern District of Louisiana, and employed hundreds of people in those states.

2. On or about May 2, 2008, BP entered into a lease with the Minerals Management Service ("MMS"), granting BP the rights to oil and natural gas reservoirs at a site called Mississippi Canyon # 252 ("MC # 252") on the Outer Continental Shelf in the Gulf of Mexico. The first well drilled by BP at MC # 252, which BP referred to as the Macondo well, lay approximately 48 miles from the Louisiana shoreline. The seabed in that area was approximately 5,000 feet below sea level, and the series of potential oil and natural gas reservoirs was located more than 13,000 feet below the seabed.

3. An affiliate of defendant TRANSOCEAN was contracted to provide BP with a mobile offshore drilling unit and crew employed by defendant TRANSOCEAN to implement BP's drilling plan for the Macondo well. Defendant TRANSOCEAN, along with BP, had a duty to maintain well control. Entailed in this duty were responsibilities related to conducting safe drilling and rig operations, ensuring the safety of personnel onboard and preventing accidents which could impact the environment.

4. On or about and between April 20, 2010 and July 15, 2010, both dates being approximate and inclusive, in the Eastern District of Louisiana and elsewhere, defendant

TRANSOCEAN DEEPWATER INC.,

together with others, did negligently discharge and cause to be discharged oil in connection with activities under the Outer Continental Shelf Lands Act and which affected natural resources

belonging to, appertaining to, and under the exclusive management authority of the United States, in such quantities as may be and were in fact harmful.

All in violation of Title 33, United States Code, Sections 1319(c)(1)(A) and 1321(b)(3).

DANA BOENTE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA

RICHARD R. PICKENS, II [22593]
Assistant United States Attorney

LANNY A. BREUER
ASSISTANT ATTORNEY GENERAL
CRIMINAL DIVISION

JOHN D. BURETTA [Member of NY Bar]
Director, Deepwater Horizon Task Force
DEREK A. COHEN [Member of NY Bar]
Deputy Director, Deepwater Horizon Task Force
AVI GESSER [Member of NY Bar]
Deputy Director, Deepwater Horizon Task Force
SCOTT M. CULLEN [Member of MD Bar]
Trial Attorney, Deepwater Horizon Task Force
COLIN L. BLACK [Member of NY Bar]
Trial Attorney, Deepwater Horizon Task Force
ROHAN A. VIRGINKAR [Member of DC Bar]
Trial Attorney, Deepwater Horizon Task Force

New Orleans, Louisiana
January 3, 2013

No. _____

United States District Court

FOR THE

EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

vs.

TRANSOCEAN DEEPWATER INC.

BILL OF INFORMATION FOR
CLEAN WATER ACT VIOLATION

Violation(s):

33 U.S.C. § 1319(c)(1)(A)
33 U.S.C. § 1321(b)(3)

Filed _____, *20* 13

_____, *Clerk.*

By _____, *Deputy*

DEREK A. COHEN
Deputy Director, Deepwater Horizon Task Force

 PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☑ INFORMATION ☐ INDICTMENT

CASE NO. 13-001

USA vs. SECT. H MAG. 1

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile

☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Defendant: TRANSOCEAN DEEPWATER INC.

Address:

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT
DISTRICT OF LOUISIANA — EASTERN Divisional Office

Name and Office of Person Furnishing Information on THIS FORM: Racheal Guerra
☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (504) 680-3000

Name of Asst. U.S. Attorney (if assigned): Derek A. Cohen

☐ Interpreter Required Dialect:

Birth Date ☐ Male ☐ Female ☐ Alien (if applicable)

Social Security Number XXX-XX-

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
KELLY BRYSON - Special Agent / FBI

☐ person is awaiting trial in another Federal or State Court (give name of court)

☐ this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. Atty ☐ Defense

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

☐ prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

MAG. JUDGE CASE NO.

Place of offense: New Orleans, Louisiana County Orleans

DEFENDANT

Issue: ☐ Warrant ☑ Summons

Location Status:

Arrest Date _____ or Date Transferred to Federal Custody _____

☐ Currently in Federal Custody
☐ Currently in State Custody
☐ Writ Required
☐ Currently on bond
☐ Fugitive

Defense Counsel (if any): Brad Brian

☐ FPD ☐ CJA ☑ RET'D
☐ Appointed on Target Letter

☐ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 1 (for this defendant only)

Offense Level (1, 3, 4)	Title & Section/ (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Count(s)
3	33 U.S.C. Sec. 1319(c)(1)(A) & 1321(b)(3)	Clean Water Act Violation	1

NO MAGISTRATE PAPERS WERE FOUND

for

NAME: TRANSOCEAN DEEPWATER INC.

Initials: BB