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Newsroom

Logan on BP Negligence Finding

Professor David Logan explains why a federal court finding BP acted with “gross negligence” in 2010 Gulf of Mexico disaster doesn't presage criminal trial outcomes.

From the New Orleans Advocate: “Judge’s findings in BP civil case could presage results in criminal trial,” by Richard Thompson

- See Professor Logan's comments on the BP finding in [Chemistry World](#).



NEW ORLEANS, Sept. 09, 2014: In finding that BP acted with “gross negligence” in the 2010 Gulf of Mexico disaster, the federal judge overseeing the oil spill litigation laid much of the blame on BP’s top two supervisors onboard the Deepwater Horizon drilling rig, both of whom face criminal charges for allegedly misinterpreting a critical safety test and ignoring clear warning signs that the Macondo well was in danger.

Some experts following the case say U.S. District Judge Carl Barbier’s ruling last week may foreshadow trouble for the men, Donald Vidrine and Robert Kaluza, who are set to be tried on manslaughter charges in the deaths of 11 workers who died on the rig. [...]

Former federal prosecutor Shaun Clarke [...] noted that the pending criminal charges require a higher burden of proof than the civil case: “beyond a reasonable doubt” rather than a preponderance of the evidence.



David Logan, a law professor at Roger Williams University who has been following the case, said that's an important difference.

"A criminal jury with a different burden of proof being shouldered by the prosecution could reach a completely different conclusion as a technical matter," **Logan said**. "It's not really relevant to the criminal case."

For full story, click [here](http://www.theneworleansadvocate.com/news/crime/10192629-123/judges-findings-in-bp-civil). [http://www.theneworleansadvocate.com/news/crime/10192629-123/judges-findings-in-bp-civil]