

3-14-2013

Newsroom: Logan on BP Trial Discovery

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Recommended Citation

Roger Williams University School of Law, "Newsroom: Logan on BP Trial Discovery" (2013). *Life of the Law School (1993-)*. 181.
https://docs.rwu.edu/law_archives_life/181

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Newsroom

Logan on BP Trial Discovery

Dean David Logan talks to the New Orleans Times-Picayune about possible consequences if Halliburton violated court orders by not turning over evidence.

From the New Orleans Times-Picayune: ["Samples of possible Macondo cement mixture found, Halliburton lawyer tells federal judge"](#) by Richard Thompson, NOLA.com



March 14, 2013: The lead lawyer for Halliburton, the company that supplied cement to seal the ill-fated BP Macondo well, told a federal court Thursday that the oil field services giant has found leftover samples of a cement slurry at its lab in Lafayette that may be from the same mixture used to seal the well. [...]

David Logan, the law school dean at Roger Williams University, said Barbier has "a wide discretion to punish a party who fails to comply with a discovery order" if the judge finds that Halliburton purposefully violated court orders by not turning over evidence.

But Logan acknowledged the lapse could be "something that could be explained by negligence rather than intentionally flaunting the court's order."



"Until you sort of fill in the pictures as to what this actually is, and how clear it was that it should've been turned over at the time," the consequences are unclear, **he said.**

Halliburton could face fines or be restricted from making a particular argument during the course of the trial if the judge believes the plaintiffs' due process rights were violated, **Logan said.**

"You've got this array that the judge will look at and basically consider two primary factors: How important was the evidence to have had earlier, and what the culpability for Halliburton is for not turning it over on time," **he said.** [...]

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