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Dean Logan's Blog

Deepwater Horizon Legacy

Posted by David Logan on 05/10/2011 at 12:34 PM

In the run-up to the one-year anniversary of the Deepwater Horizon disaster in the Gulf of Mexico, we used our in-house marine and tort law expertise to gather experts to explore the far-reaching legacy of the worst oil spill in U.S. history. Journalists, lawyers, scientists, Gulf of Mexico residents, and economists came to campus to ponder the lasting legacy of this tragedy. The law school community plus dozens more professionals in the audience were treated to expert speakers across disciplines examining complex questions such as how can we avoid another Deepwater? What tradeoffs we are willing to make to ensure affordable energy supplies, sustainable coastal communities, and healthy marine ecosystems? Is tort litigation or a victim compensation fund the appropriate avenue to make disaster survivors whole?

My focus since the explosion last spring has been on the civil claims made against BP, and the unique claims compensation process offered as an alternative to litigation and so one panel was devoted to the strengths and weaknesses of the traditional court system for handling mass disasters. We heard from the best: [Don Migliori](#), who represents the families who refused to accept compensation from the 9/11 compensation system, [Deborah Greenspan](#), from Dickstein Shapiro in DC, an expert on alternative dispute resolution, and [George Conk](#), who teaches at Fordham Law School and who has written on the topic.



Chris McNally '13, Al Deans '11, and Kristen Bonjour '12 with the "Sue or Settle" panel

Another panel, "Origin of a Disaster," considered the regulatory failures that led up to the blowout, was kicked off by commentary from U.S. Senator [Sheldon Whitehouse \(D-RI\)](#), and featured a lively discussion among Juliet Elperin, a reporter from the Washington Post who

investigated the run-up to the spill, Stephen Da Ponte from the U.S. Coast Guard Office of Maritime and International Law, Garret Graves, Director of the Louisiana Coastal Protection and Restoration Authority, Sidney Shapiro, Associate Dean for Research and Development, Wake Forest University School of Law, and David Westerholm, Director of the NOAA Office of Response and Restoration.



Juliet Elperin discusses regulatory failures

The lunchtime speaker was the always provocative Dr. Christopher Reddy, Senior Scientist with the Woods Hole Oceanographic Institute.

A third panel tackled the challenges of assessing damage and the speakers attacked the problem from two distinctive angles: the scientific lens was represented by Jill Rowe, a biologist actually working on the Gulf environmental assessment and Dr. James Opaluch, Chair of the Environmental and Natural Resource Economics Department at the University of Rhode Island. The legal and human tally was represented by Kevin Dean, from the leading plaintiffs' firm Motley Rice and his client Harold T. Chittum, III, whose Chittum Skiffs business was crushed by the disaster and who is seeking fair compensation for his losses.



Dean Logan with Kevin Dean and Harold Chittum

The final panel began with a presentation on the need for legislative reform from [U.S. Senator Jack Reed \(D-RI\)](#), and there were responses from Fred H. Bartlit, Jr., Chief Counsel to National Commission on the BP Deepwater Horizon Oil Spill, Thomas C. Galligan, Jr., President of Colby-Sawyer College (and an expert on legal remedies), David Pettit, Senior Attorney, Natural Resources Defense Council, and Jonathan K. Waldron, a leading maritime lawyer from Blank Rome LLP.



The "What Next" panel

Hats off to Susan Farady, Director of our Marine Affairs Institute, for organizing and delivering a terrific conference that showcased many things we do well here: convene experts, engage

students and professionals, and act as a national clearinghouse for cutting edge legal issues. Here are some pics from that lively day.

Visit [“Blowout: The Legal Legacy of the Deepwater Horizon”](#) to see presentations, videos and other resources from the event.



Fred Bartlit and MAI Director Susan Farady