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## Newsroom: Logan on BP: New York Times

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# Newsroom

## Logan on BP: New York Times

Four years after the massive Gulf oil spill, BP is no longer on the defensive. Dean David Logan talked to the Times about the company's tough new approach to settlements.

**From the NEW YORK TIMES:** "[How a Gulf Settlement That BP Once Hailed Became Its Target](#)" by Campbell Robertson and John Schwartz



**NEW ORLEANS, April 26, 2014** — Four years ago the Deepwater Horizon oil rig caught fire and exploded, killing 11 men, spewing millions of barrels of oil into the Gulf of Mexico and staining, seemingly indelibly, the image of BP, the international energy giant responsible for the well.

Its reputation in free fall, the company set aside billions of dollars and saturated the airwaves with contrite pledges to make thousands of businesses and workers whole, from shrimpers to hotel owners to charter boat operators.

Four years on, BP is no longer on the defensive. ...

With anger and criticism mounting, BP and a committee of plaintiffs' lawyers began to work out, over nearly 150 negotiating sessions, a broad settlement that could help the company limit the scope of any coming litigation. Negotiators envisioned a program very different from Mr. Feinberg's. The new claims process was intended to be accessible, and the explicitly stated goal was to help claimants get the largest amount for which they qualified. ...



A central element of the agreement, however, would prove to be a time bomb. Instead of having claims calculators contend with different kinds of arguable evidence to prove that damage was linked to the spill, the negotiators came up with a formula that relied solely on financial data for proof of harm. If a business was in a certain region and could prove that its income dropped and rose again in a specific pattern during 2010, that would be enough to establish a claim.

**To David A. Logan, the dean of the law school at Roger Williams University in Rhode Island, this was a creative way to avoid endless minitrials. “The whole idea is to make this proceed without laborious technical findings on causation,” he said.**

*For full story, click [here](#).*