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Newsroom

Logan on BP's Settlement Appeal

Professor David Logan shares class action law expertise on the uphill battle BP faces with Supreme Court settlement appeal

From The Times-Picayune: ["4 Reasons BPs Supreme Court settlement appeal faces an uphill battle"](#) by Jennifer Larino, Times-Picayune Reporter

August 5, 2014: BP has spent much of this year working to convince federal courts in New Orleans that a flawed interpretation of its [Gulf of Mexico oil spill](#) settlement deal has allowed millions of dollars in payments to go to what it says are undeserving businesses. It's been an uphill battle for the British oil giant, which has lost several rulings on the matter. ...

[BP on Friday \(Aug. 1\) asked the U.S. Supreme Court to hear its case](#), which they argue could forever change the way large settlement deals are hammered out in the future. ...

David Logan, a law professor at Roger Williams University in Rhode Island, said the Supreme Court certainly looks to resolve conflict within the lower courts.

But **Logan said** the decisions BP highlights don't appear to reflect a true split in the courts.

He noted each decision was made within the context of the specific class action case it was reviewing.

But **he said** none appear to deal with the same questions posed in the BP case, namely, whether a class definition reached in a settlement agreement between parties can be altered.

"The lower courts come at the class action certification and the problems of how it works in the settlement context from a different perspective, but that doesn't mean there is a split," **Logan said**.

He added there has been little disagreement over BP's appeal in district and appeals courts in New Orleans, which have ruled consistently to uphold the settlement deal.

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

http://www.nola.com/business/index.ssf/2014/08/4_reasons_experts_say_bps_supr.html#incart_river