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U.S. Judge in New Orleans Will Hear Gulf Spill Cases

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NEW ORLEANS — Hundreds of federal lawsuits filed over the Gulf of Mexico oil spill will be handled by a single judge here, a judicial panel announced Tuesday.

The choice of New Orleans is a significant defeat for BP and other companies being sued over the spill, which had asked the same panel to consolidate cases in Houston, where their headquarters are located — and where, plaintiffs had argued, they might find a friendlier legal environment. Plaintiffs had requested that the cases be brought together in federal districts from Florida to Texas, with many focused on New Orleans.

The five-page opinion said, “Without discounting the spill’s effects on other states, if there is a geographic and psychological ‘center of gravity’ in this docket, then the Eastern District of Louisiana is closest to it.”

The judicial panel on multidistrict litigation heard the case last month in Boise, Idaho.

The panel gave the cases to Judge Carl J. Barbier, calling him “an exceptional jurist.”

The ruling played down the question of bias: Judges “impartially carry out their duties and make tough decisions time and time again, and that they uniformly do so without engaging in any location-specific favoritism.”

The ruling affects some 300 cases over all.

In a separate ruling, the judges consolidated lawsuits brought by BP shareholders in Houston, handing those cases off to Judge Keith P. Ellison.

BP and the other companies involved with the stricken well had unsuccessfully fought to have Judge Barbier removed from the case because he owned some oil industry bonds. Several other federal judges in New Orleans had already disqualified themselves from taking

cases related to the spill because of personal connections or investments. Many of the cases that had been filed with them had already been taken over by Judge Barbier.

In a statement, BP said, “We are aware of and respect the decisions” of the panel, adding, “We look forward to the cases proceeding as expeditiously and efficiently as possible in the selected venues.”

As for whether the company would renew its efforts to get Judge Barbier removed from the case, Elizabeth Ashford, a spokeswoman for BP, said, “We’re not commenting on anything re: Judge Barbier.”

Transocean, the rig’s owner, issued a statement that it was “supportive of the decision.”

Judge Barbier declined a request for comment.

Lawyers for the many thousands of plaintiffs in the cases exulted at the news. Russ Herman, a New Orleans litigator, whose plea to the judges to direct the cases to his city invoked the Mississippi River flood of 1927, Hurricanes Betsy and Katrina and the singer Randy Newman, called it “a righteous decision.” Richard J. Arsenault, a lawyer in Alexandria, La., said it was “unquestionably appropriate,” noting that Judge Barbier had experience in complex litigation and maritime law as well.

The next steps, Mr. Arsenault said, would include creating a steering committee of plaintiffs’ lawyers — a process that is likely to involve “considerable competition” for influential positions.

W. Mark Lanier, a plaintiffs’ lawyer who asked the judges to send the cases to Houston, where he lives, said the decision by the panel was “logical,” but added, “BP is probably beside themselves.” In New Orleans, he said, “It will be very hard for them to find a jury that doesn’t want to hang ’em,” he said.

Work on Relief Well Delayed

The threat of bad weather has caused BP to delay work on the relief well that is meant to be the last nail in the coffin of the company’s once-gushing Macondo well.

Thad W. Allen, the retired Coast Guard admiral leading the response effort, said Tuesday that with a storm system developing east of the Macondo site in the gulf, the relief well had been plugged temporarily “out of an overabundance of caution.”

Wednesday's expected interception of the Macondo well will be delayed at least two to three days, the admiral said, and pumping of mud and cement to finish the job of permanently sealing the well is not expected until Sunday at the earliest.

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