

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: OIL SPILL BY THE OIL RIG
"DEEPWATER HORIZON"
IN THE GULF OF MEXICO,
ON APRIL 20, 2010

MDL NO. 2179

SECTION: J

JUDGE: JUDGE CARL J. BARBIER
MAG. JUDGE SHUSHAN

THIS DOCUMENT RELATES TO ALL CASES

**CORRECTED APPLICATION OF ALPHONSO MICHAEL "MIKE" ESPY AND
MORGAN & MORGAN FOR PLAINTIFFS' STEERING COMMITTEE**

ALPHONSO MICHAEL "MIKE" ESPY of Morgan & Morgan, P.A.¹ submits this application for appointment to the Plaintiffs' Steering Committee in accordance with PTO #1.

Mike Espy's distinguished career uniquely qualifies him to serve on the Plaintiffs' Steering Committee. A partner practicing in the firm's Mississippi office, Mr. Espy is a member of the Mississippi State Bar Association and all Federal Courts in Mississippi; he served as Regional Managing Attorney for Central Mississippi Legal Services, handling all sorts of civil litigation matters for income-eligible clients in a five county area; he was Assistant Secretary of State in charge of Mississippi's public

¹ Plaintiffs' Counsel in:

Adam Alfano v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10047-KMM in Southern District of Florida);
Dana Banks v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10045-KMM in Southern District of Florida);
John Donnell v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10048-KMM in Southern District of Florida);
Drew Moret v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10043-KMM in Southern District of Florida);
Darrick Parker v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10049-KMM in Southern District of Florida);
Two Headed Shark, LLC d/b/a Ripley's Believe it or Not! v. Transocean, Ltd, BP, P.L.C., Transocean Offshore Deepwater Drilling, Inc., Transocean Deepwater, Inc., BP Products North America, Inc., Halliburton Energy Services, Inc., Cameron International Corporation f/k/a Cooper Cameron Corporation (Cameron) and BP America, Inc. (Case No. 4:10-cv-10038-KMM in Southern District of Florida);

lands, which included all public properties above the mean high tide mark. Notably, Mr. Espy was the first African American Assistant Secretary of State in Mississippi history. Mr. Espy served the State of Mississippi as Assistant Attorney General, Director of the Office of Consumer Protection where he managed and litigated cases arising from consumer fraud. He drafted the fraud prevention legislation which was adopted into the Mississippi Code. Mr. Espy was the first African American to serve as an Assistant Attorney General in Mississippi history.

In 1986, Mr. Espy became the first African American Member of Congress from Mississippi since Reconstruction, serving the state's Second Congressional "Delta" District. In this capacity, Mr. Espy served on the House of Representative's Budget and Agriculture Committees; as Chairman of the Subcommittee on Cotton, Rice and Sugar; Chairman of the Domestic Hunger Committee, and a member of the Select Committee on Hunger; he authored a Bill signed into law by President Reagan creating the Economic Development District including Louisiana, Mississippi, Arkansas, Tennessee, Missouri, and Illinois.

In 1996, Mr. Espy became the nation's 25th Secretary of Agriculture, serving the Clinton Administration and responsible for managing 124,000 employees and a \$63 Billion budget. He personally negotiated GATT and NAFTA treaties, reorganized the Department of Agriculture, reformed the meat and poultry inspection systems and emphasized conservation, forestry and wetlands restoration.

A. WILLINGNESS AND AVAILABILITY TO COMMIT TO A TIME-CONSUMING PROJECT

Mike Espy and Morgan & Morgan are fully and unequivocally committed to this case. Morgan & Morgan has major offices located in Mississippi and along the gulf coast of Florida. Morgan & Morgan has 11 offices in Florida, Georgia, Mississippi and Tennessee, with about 170 lawyers and 800 support staff. The firm has set up an interdisciplinary Oil Spill Practice Group comprised of members

of the Consumer Class Action & Mass Tort Department, The Business Litigation Group, the Maritime Litigation Group and the Mississippi litigation practice. The firm has many business clients in the gulf region who were immediately affected by the spill. This firm was among the first to file claims arising from the spill in south and coastal Florida. Our firm immediately hired experts and consultants and began to evaluate these cases from all aspects. Mike Espy is committed to personally serving on the Plaintiffs' Steering Committee if appointed. There is no question that this service will be extremely time-consuming and will require regular travel to New Orleans. Mr. Espy and the Morgan & Morgan team understand and are prepared to take on this responsibility and to devote all necessary resources to such service. Of note, partner Scott Wm. Weinstein is a member of the Plaintiffs' Steering Committee in the Chinese Drywall Litigation pending before Judge Fallon (MDL 2047), is well familiar with the Rules of this District, and is accustomed to regular travel to the area. Several members of the firm are engaged in the Chinese Drywall litigation, work on the PSC, and therefore travel regularly to New Orleans. The firm's Class Action Section head J Andrew Meyer is a member of the Apple iPhone 3G and 3Gs MMS Marketing and Sales Practices Litigation (MDL 2116) Plaintiffs' Steering Committee pending before this Honorable Court. As a result this team is well acquainted with many members of the Bar who will likely serve on the Oil Spill committees.

Members of the firm have travelled to New Orleans for many meetings of counsel concerned with the oil spill. We are members of the Oil Spill List Serve, and firm partners Scott Wm. Weinstein and Michael Goetz were present at the September 16, 2010, Pretrial Conference.

B. ABILITY TO WORK COOPERATIVELY WITH OTHERS

As a Cabinet member, Congressman, lawyer, and community leader, Mike Espy has a proven record and reputation for bridging gaps and forging agreements among colleagues. His law firm has committed its financial and personnel resources to the Oil Spill litigation and its support to Mike Espy.

Members of the firm's Oil Spill Group have travelled around the States of Florida and Mississippi, and to New Orleans, on many occasions to work with other counsel involved in this litigation.

C. PROFESSIONAL EXPERIENCE IN THIS TYPE OF LITIGATION

The firm, and its Consumer Class Action and Mass Tort Department, is involved in complex litigation nationwide. Members have been court appointed to the following Plaintiffs' Steering Committees: *In re: Chinese-Manufactured Drywall Products Liability Litigation*, MDL 2047; *In re: Heparin Products Liability Litigation*, MDL 1953; *In re: Digitek Products Liability Litigation*, MDL 1968; *In re: Total Body Formula Products Liability Litigation*, MDL 1985; *In re: Bayer Corp. Combination Aspirin Products Marketing and Sales Practices Litigation*, MDL 2023; and *In re: Denture Cream Products Liability Litigation*, MDL 2051; and *In re: Apple iPhone 3G and 3Gs MMS Marketing and Sales Practices Litigation*, MDL 2116, and are well-experienced in the workings of MDL's.

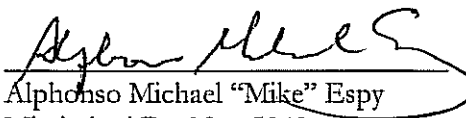
D. WILLINGNESS TO COMMIT NECESSARY RESOURCES TO PURSUE THIS MATTER

Morgan & Morgan is the largest Plaintiffs' firm in Florida, and one of the largest in the country. With 170 lawyers and 800 support staff, and specialty departments focusing on mass torts, class action litigation, business law and maritime law we have the staffing and financial resources to pursue this matter.

The team is familiar with the *Manual for Complex Litigation – Fourth* and understands this Court will proceed in accordance with the provisions and principals contained therein.

WHEREFORE, MIKE ESPY and MORGAN & MORGAN, respectfully move that this Court appoint them to serve on the Plaintiffs' Steering Committee in this litigation.

By:


Alphonso Michael "Mike" Espy
Mississippi Bar No.: 5240

