

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

HERBERT LEE BRUMFIELD

CIVIL ACTION

VERSUS

NO. 17-3107

B.P. EXPLORATION &
PRODUCTION, INC., ET AL.

SECTION "R" (5)

ORDER AND REASONS

Before the Court is plaintiff Herbert Lee Brumfield's motion to indefinitely continue all scheduling deadlines until plaintiff's counsel has completed discovery on the issue of BP's failure to conduct dermal monitoring and biomonitoring.¹ Defendants oppose plaintiff's motion.²

Plaintiff's motion to continue is denied as moot. Plaintiff's recently filed spoliation motion based on BP's failure to conduct monitoring, in addition to the September 15, 2022 deposition of Dr. Richard Heron, together evidence that Brumfield has effectively concluded discovery on this issue. Further, as noted in the Court's Order and Reasons granting summary judgment to BP and excluding Dr. Cook's testimony, additionally discovery on BP's failure to conduct monitoring is not germane to either summary

¹ R. Doc. 47.

² R. Doc. 48

judgment or the admissibility of plaintiff's proposed expert opinion. The additional information sought, and now received, does not cure the deficiency in plaintiff's case.

Plaintiff's motion to continue is DENIED as MOOT.

New Orleans, Louisiana, this 28th day of November, 2022.



SARAH S. VANCE
UNITED STATES DISTRICT JUDGE