

14<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF CALCASIEU

STATE OF LOUISIANA

THE SWEET LAKE LAND AND OIL  
COMPANY, LIMITED LIABILITY  
COMPANY

DOCKET NO.: 2010-1272

DIVISION: "A"

VS.

OLEUM OPERATING COMPANY, L.C.,  
ET AL.

UNOPPOSED MOTION TO EXTEND DEADLINE TO SUBMIT PLAN  
AND INCORPORATED MEMORANDUM IN SUPPORT

NOW INTO COURT, through undersigned counsel, comes Defendants, BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company, (collectively referred to as "BP" or "Defendants"), who respectfully represent that:

1.

On September 11, 2015, this Court rendered Judgment which provided, in pertinent part, that:

... the Court HEREBY ORDERS BP to submit a plan to remediate the Property to the Department of Natural Resources, Office of Conservation (the 'department'), this Court, and Sweet Lake within 60 days of this order. ... It is further ordered that Sweet Lake shall have 60 days from its actual receipt of BP's submittal to review BP's submittal and provide to the department and the Court a plan, comment, or input in response thereto.

2.

Notice of judgment was issued by the Clerk of Court on September 16, 2015.

3.

Pursuant to this Court's Judgment, BP's plan would be due to the department, this Court, and Sweet Lake on November 10, 2015.

OFFICE OF CLERK OF COURT  
2015 NOV -3 AM 11:00  
CALCASIEU PARISH, LOUISIANA

FILED OCT 30 2015

*Meagan Bentley*  
Deputy Clerk of Court  
Calcasieu Parish, Louisiana

4.

For the reasons set forth more fully below, BP's experts require an additional thirty (30) days, or until **December 10, 2015**, to prepare and finalize the plan to be submitted to the department, this Court, and Sweet Lake.

5.

A "most feasible plan" submittal under Louisiana Revised Statutes 30:29 is different from an expert report submitted for purposes of litigation. Specifically, the most feasible plan must: (a) comply with the requirements of Chapter 6 of the Louisiana Department of Environmental Quality Risk Evaluation/Corrective Action Program (RECAP); (b) incorporate all necessary expert opinions and recommendations into one report (for example, BP's plan will incorporate the opinions and recommendations of Hydro-Environmental Technology, Inc., John Frazier, Robinan Gentry, Donald Sagrera, and Jerry Daigle); (c) include additional detail and technical information required by the department; and (d) follow the framework required by the department.

6.

Given the number of experts involved and the breadth of information which must be included in the plan, additional time is needed to prepare same.

7.

Counsel for Sweet Lake and Counsel for Oleum Operating Company, L.C. have been contacted regarding this requested extension and do not oppose the granting of same.

8.

As such, BP requests that the deadline for submitting its plan to the department, this Court, and Sweet Lake be extended for a period of thirty (30) days from November 10, 2015 to **December 10, 2015**.

9.

Further, the Judgment issued by this court required that Sweet Lake submit its plan, comment, or input in response to BP's plan within 60 days from its actual receipt of BP's plan. Based upon the parties' agreement to extend the deadline for BP to submit its

plan, BP requests that Sweet Lake also be granted an additional 30 days to submit its plan, comment, or input, such that Sweet Lake will have a total of ninety (90) days from receipt of BP's plan.

WHEREFORE, Defendants, BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company, pray that this unopposed motion to extend deadline to submit plan be granted and the deadline for BP to submit its plan to the LDNR be extended for a period of thirty (30) days from November 10, 2015 to December 10, 2015.

Defendants, BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company, further pray that, Sweet Lake Land and Oil Company be granted an additional 30 days to submit its plan, comment, or input, such that Sweet Lake will have a total of ninety (90) days from receipt of BP's plan to submit its plan, comment, or input in response thereto.

Defendants, BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company, further pray for any and all other relief which may be just and equitable under the circumstances.

RESPECTFULLY SUBMITTED BY:



James P. Dore (#7238), T.A. (jim.dore@keanmiller.com)

Alan J. Berteau (#17915)(alan.berteau@keanmiller.com)

Amy D. Berret (#24295)(amy.berret@keanmiller.com)

KEAN MILLER LLP

II City Plaza

400 Convention Street, Suite 700

Post Office Box 3513 (70821)

Baton Rouge, Louisiana 70802

Telephone: (225) 387-0999

Facsimile: (225) 388-9133

**ATTORNEYS FOR BP PRODUCTS NORTH AMERICA,  
INC., BP EXPLORATION & OIL, INC., BP EXPLORATION,  
INC., AND SOHIO PETROLEUM COMPANY**

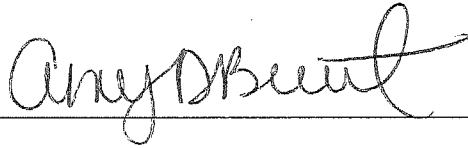
**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing document has been forwarded to the following counsel of record by placing same in the United States mail, postage prepaid, and properly addressed to all known counsel of record.

Guy Wall  
Paul Bullington  
Jonathan Cook  
Sara Lewis  
Phillip Wood  
WALL, BULLINGTON & COOK, LLC  
540 Elmwood Park Blvd.  
New Orleans, LA 70123  
*Counsel for Plaintiff, The Sweet Lake Land & Oil Company,  
Limited Liability Company*

Matt Jones  
Brian W. Capell  
LISKOW & LEWIS  
822 Harding Street  
P.O. Box 52008  
Lafayette, LA  
*Counsel for AKSM, L.C. and Oleum Operating Company, L.C.*

Baton Rouge, Louisiana this 30<sup>th</sup> day of October, 2015.

  
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14<sup>TH</sup> JUDICIAL DISTRICT COURT

PARISH OF CALCASIEU

STATE OF LOUISIANA

THE SWEET LAKE LAND AND OIL  
COMPANY, LIMITED LIABILITY  
COMPANY

DOCKET NO.: 2010-1272

DIVISION: "A"

VS.

OLEUM OPERATING COMPANY, L.C.,  
ET AL.

ORDER

CONSIDERING THE FOREGOING:

IT IS HEREBY ORDERED that Defendants', BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company's, motion to extend deadline to submit plan be and is hereby GRANTED;

IT IS FURTHER ORDERED that the deadline for Defendants', BP Products North America, Inc., BP Exploration & Oil, Inc., BP Exploration, Inc., and Sohio Petroleum Company, to submit their plan to the department, this Court, and The Sweet Lake Land and Oil Company, LLC be and is hereby extended for a period of thirty (30) days from November 10, 2015 to December 10, 2015.

IT IS FURTHER ORDERED that The Sweet Lake Land and Oil Company, LLC is also granted an additional 30 days to submit its plan, comment, or input in response to BP's plan, such that Sweet Lake will have a total of ninety (90) days from receipt of BP's plan to submit its plan, comment, or input in response thereto.

THUS DONE AND SIGNED in Lake Charles, Louisiana, on this 6<sup>th</sup> day of

November, 2015.

S/ David A. Ritchie  
JUDGE, 14<sup>TH</sup> JUDICIAL DISTRICT COURT  
PARISH OF CALCASIEU, STATE OF LOUISIANA

FILED OCT 30 2015

Meagan Leys  
Deputy Clerk of Court  
Calcasieu Parish, Louisiana