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La. Federal Judge Dismisses Benzene Exposure Action in Light of Parties' Settlement

NEW ORLEANS — A New Orleans federal judge has dismissed without prejudice a benzene exposure lawsuit asserted against a number of defendants, including Murphy Exploration and Product Company USA, on grounds that the parties have arrived at a compromise.

In a Sept. 30 order, Judge Carl J. Barbier of the U.S. District Court for the Eastern District of Louisiana dismissed the claims without prejudice, noting that any party may seek to enforce the compromise within 60 days if it is not consummated by that time.

The plaintiffs brought the claims on behalf of Franklin Ronald Jackson Sr., who was allegedly exposed to benzene while working on a number of vessels in the Ocean Drilling and Exploration Company Fleet. Jackson developed chronic lymphocytic leukemia as a result of the exposure, according to the complaint.

Named as defendants were Murphy, EOG Resources Inc., Independent Drilling LLC, Eaton Industries of Houston Inc., and Applied Drilling Technology Inc.

In March, Judge Barbier scheduled a Nov. 10 jury trial after ruling that plaintiffs' maintenance and cure claims could proceed.

However, on May 22, the judge dismissed EOG Resources from the action on grounds that EOC never employed Jackson and did not use the type of semi-submersible vessels on which the plaintiffs alleged exposure. Two months later, plaintiffs dismissed all claims against Independent Drilling after it moved for summary judgment on grounds that the Texas Workers' Compensation Act barred the claims against it.

At the time of settlement, only Murphy, Applied Drilling and Eaton Industries remained as defendants.

The plaintiffs are represented by Andrew J. Dupont and Priscilla Jiminez of Locks Law Firm in Philadelphia and L. Eric Williams Jr. of Williams Law Office in Metairie, La.

Counsel for Murphy were Christopher M. Hannan and Robert S. Emmett of Baker Donelson Bearman Caldwell & Berkowitz, P.C., in New Orleans.

Independent Drilling and Eaton Industries were represented by Erin Fury Parkinson and Jose L. Barro III of McGlinchey Stafford in New Orleans, Gene F. Creely II of Creely Law Firm in Houston and Todd G. Crawford and Mat Gray III of Fowler Rodriguez in Gulfport, Miss.

EOG Resources was represented by George H. Robinson and Hunter A. Chauvin of Liskow & Lewis in

Lafayette, La.

Jackson v. Murphy Exploration & Production Co., et al., No. 13-5864 (E.D. La.).

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