Bill To Derail 'Big Oil' Lawsuits Stalls

KEVIN McGILL, Associated Press

NEW ORLEANS (AP) — A New Orleans law firm launched a new web page Wednesday aimed at refuting arguments by supporters of legislation that could scuttle a New Orleans-based flood board's lawsuit seeking damages from the oil and gas industry over the loss of coastal wetlands.

The "Sunshine Squad" page was announced in a telephone news conference by attorney Bessie Daschbach, a member of the Jones, Swanson, Huddell and Garrison law firm hired by the Southeast Louisiana Flood Protection Authority-East to pursue the lawsuit against 97 oil, gas and pipeline companies.

Bills aimed at derailing the lawsuit are moving through the Legislature. They include a Senate-passed bill by Sen. Robert Adley, R-Benton, that would prohibit Louisiana's flood protection authorities from hiring outside lawyers without approval from the governor and apply the restrictions retroactively — striking at the SLFPA-E lawsuit, which Jindal opposes. Other pending legislation would give Jindal more leeway in the selection of flood authority members.

Backers of the lawsuit said the industry hasn't sufficiently been held accountable for damage done by dredging for canals and pipelines that have contributed greatly to the loss of wetlands, which serve as a natural buffer against hurricane storm surge. Jindal and industry leaders, including the Louisiana Oil and Gas Association, say the lawsuit is an unfair attack on a valuable industry and a windfall for trial lawyers.

Adley is a vehement opponent of the lawsuits. Among his contentions is that the SLFPA-E wasn't legally authorized to hire outside counsel to pursue the lawsuit and that the suit seeks to penalize oil and gas companies for actions that were legal when they were undertaken.

Lawsuit supporters — and, now, the new Web page — point to an attorney general's opinion saying the contract was legal, and a judge's ruling upholding the legality of the contract. They say there is ample evidence that laws were broken and contracts requiring oil companies to fix wetlands damage were violated.

While the legislation attacking the SLFPA-E lawsuit has been progressing, there was an indication this week that lawmakers are backing away from measures that could stop similar lawsuits filed by the coastal parishes of Plaquemines and Jefferson.

The Advocate reported Wednesday (http://bit.ly/1mz39l1) that Rep. Joel Robideaux, R-Lafayette, delayed hearings on his bill that would detail a way for local and parish governments to handle environmental cleanup disputes without going to court.

The bill met resistance from local government officials who worried courts might use the procedures to support the oil and gas industry's contention that local

governments had no authority to file a lawsuit alleging noncompliance with a state-issued permit.

Jefferson and Plaquemines parishes filed a set of nearly 30 lawsuits, seeking compensation for environmental damage caused during oil and natural gas drilling activities over the years.

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