



BP Oil Spill – It's like the Wild Wild West

By Jon Lewis

Shoot first and ask questions later. Isn't that what some of the gunslingers did? It seems like we have some new gunslingers.

Several law firms have already filed class actions and have paid **Google** for ads. **BP** has already acknowledged they are going to have to pay for a lot of the damage, but will they come clean with all of their responsibilities. The current administration is going to hold their feet to the fire. Many **U.S. officials** have already stated that BP is going to pay for all of the damages this has caused.

So, why do we need all of the litigation? What types of fees are these attorneys going to charge? Are the lawsuits going to prolong the situation? Would the Obama administration force BP's hand to set up a trust fund to compensate the injured companies and individuals without the need for litigation?

On the other hand, will BP accept their responsibility and liability? What about the other companies involved such as **Transocean**? If they won't, litigation will be necessary to compensate the victims. But, if there is never a dialogue in the first place, the adversarial system takes over.

Some Lawyers have huge egos, and once the litigation starts, they don't want to give in. They want to WIN. They want to beat their chest and say, "I'm the best" "I got the biggest verdict" "I got the biggest settlement". I'm not simply talking about the trial lawyers. In fact, most trial lawyers are reasonable when it comes to compromise. Defense attorneys can be worse (not all for all of you out there reading this).

No one will win in this situation. The environment and the coastal states are the biggest losers. BP is losing the PR campaign right now, and they have a lot of questions to answer: What caused this? Why weren't they prepared for it? What are they doing now? There should be national press conferences held every day explaining the technical aspects in lay terms and updating the public.

Let's face it. Other than the environmental issues and damage, this will be about money. How much BP and other defendants will pay, and how much will the claimants be willing to accept. In the middle of all that will be: how much will the attorneys get (that's attorneys on both sides because, believe me, the defense firms are licking their chops too, and this is often overlooked).

In law school, they always preached to "follow the money". Unfortunately, that's what most things come down to, and in this case, Google is winning right now.