

# Continuing Professional Development Certificate

## Macondo / Deepwater Horizon loss, subsequent litigation that ensued and lessons learnt

**Date:** Thursday 17 November 2016

**Time:** 1.15pm - 2.00pm

**Speaker:** Claude Leroy Stuart 111, Hall Maines & Lugin Lawyers

In this IIL lecture Claude LeRoy Stuart 111 covered legal lessons from the more significant cases decided in the aftermath of Macondo/Deepwater Horizon. His presentation emphasized the liability trial, tension on additional assured endorsements, importance of choice of law, and scaling to interest provisions. The Macondo Disaster had a colossal environmental impact with significant, knock-on effects on the energy industry and its Underwriters. While there have been wide ranging regulatory changes leading to significant alterations in offshore Gulf of Mexico drilling, this lecture concentrated on the impact of the actual, ensuing litigation. This presentation examined four cases: (i) the liability phase trial (ii) determination of additional assured status (iii) impact of choice of applicable law in applying the Clean Water Act/Oil Pollution Act and (iv) whether the policy's scaling to interest provision applies to defence costs.

By the end of this lecture, members would have gained an insight into:

- Studying four significant cases arising from the Deepwater Horizon litigation
- Understanding (i) the mechanics of a well blow out case (ii) how additional assured status is impacted (iii) the impact of choice of US law (iv) whether a policy's scaling to interest provision covers defence costs.
- Guide and future understanding and handling of Energy Package Policy claims.



This lecture or podcast can be included as part of your CPD requirement should you consider it relevant to your professional development needs. It is recommended that you keep any evidence of the CPD activity you have completed and upload copies to the recording tool as the CII may ask to see this if your record is selected for review.