

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

IN RE: DEEPWATER HORIZON
BELO CASES

Case No. 3:19cv963

This Document Relates to:
Cases Listed in Exhibit A attached

Judge M. Casey Rodgers
Magistrate Judge Gary R. Jones

ORDER

Pending is BP's Notice of Filing Final Deficiency Report Regarding Nations Plaintiffs' Failure to Answer BP's Discovery Requests, ECF No. 185, pursuant to Section III.G of the BELO Case Management Order entered on February 22, 2021, ECF No. 138 (Master Docket). On May 5, 2021, having received notice that certain Plaintiffs had failed to respond to BP's discovery requests and that BP had so notified the Plaintiffs' counsel, the Court entered an order compelling the Plaintiffs shown on Exhibit A to respond to BP's discovery requests within 14 days. When that time passed with no response, the Court entered an order directing the Plaintiffs identified on Exhibit A to answer to the Court and show cause for their failure to respond. ECF No. 177. Each Plaintiff was expressly cautioned that the failure to respond to the show cause order would be considered a willful failure to comply, resulting in dismissal of the case with prejudice. *See Equity Lifestyle Prop., Inc. v. Florida Mowing & Landscape Serv., Inc.*, 556 F.3d 1232, 1240 (11th Cir. 2009) ("[A

district] court may dismiss a claim if the plaintiff fails to prosecute it or comply with a court order.”); *see also In re Phenylpropanolamine (PPA) Prod. Liab. Litig.*, 460 F.3d 1217, 1252 (9th Cir. 2006) (affirming dismissals of individual cases with prejudice for failure to comply with case management orders). A show cause response was due by June 9, 2021. That date has come and gone. Having received no responses, the Court will dismiss the cases with prejudice.

Accordingly, the Nations Firm cases shown on the attached Exhibit A are hereby **DISMISSED with prejudice** for the failure to prosecute and failure to respond to Orders of this Court. The Clerk is directed to enter a copy of this Order in each case listed on Exhibit A, and close the files.

DONE AND ORDERED this 23rd day of June 2021.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE