

The Firm Line

Welcome to *The Firm Line*, a newsletter designed to inform our clients and friends about developments at the firm, legal issues that may impact your lives and businesses, and other items of interest. Our intention is to keep the information we provide to you in this newsletter concise. We welcome any further discussion on the topics addressed herein and hope that *The Firm Line* will provide you with interesting and noteworthy information about the law and our firm.

BP Settlement in the Supreme Court's Hands

On May 19, 2014, the United States Court of Appeals for the Fifth Circuit issued a series of rehearing denials in *In re: Deepwater Horizon*, the multi-district litigation that arose from the 2010 explosion and massive oil spill at BP's Macondo lease in the Gulf of Mexico. The Fifth Circuit's opinions specifically regard the class Settlement Agreement between the BP defendants and the class of plaintiffs presenting business economic loss ("BEL") claims. A January 2014 panel opinion by the Fifth Circuit upheld the district court's approval of the class definition and the class settlement, while a panel opinion in March 2014 affirmed the district court's upholding of the Claims Administrator's interpretation of the Settlement Agreement. The Court's May 19 rehearing denials of both appeals has paved the way for the recommencing of the processing of BEL claims, as well as for a potential U.S. Supreme Court showdown on the issue of proof-of-causation requirements for BEL claimants.

To read the full article, [click here](#).

The Saints' First Preseason Opponent: Workers' Compensation Benefits

Last month, as the Who Dat Nation evaluated the Saints draft picks and free agency signings, there was a pending legal controversy that could impact the Saints' odds of parading through New Orleans with the Lombardi Trophy in 2015 and beyond. House Bill 1069, which passed by the Louisiana House of Representatives by a vote of 56-32, has recently served as a dividing line between Saints players and management. The Saints organization supports the Bill, whereas numerous Saints players and the NFL Players Association have denounced the proposed legislation. The controversy surrounds the calculation of workers' compensation benefits owed

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Suggestions

Please provide us with ideas and suggestions for topics that you would like to read about in the future, as well as any thoughts you may have that will help us deliver better, more insightful information to you.

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to professional athletes (including players for the Pelicans and Zephyrs) when they are injured in the line of work. More specifically, the Bill would require calculation of workers' compensation benefits based on weekly earnings at the time of a player's injury rather than calculating a player's weekly earnings based on the player's annual salary. This methodology is significant because the timing of a player's injury could have massive financial consequences.

The standard NFL player contract contains variable wage rates depending on the time of year. A player earns far more during the regular season, for instance, than he does during the offseason and/or preseason. This variation in wages was the impetus for House Bill 1069. Simplistically, under Louisiana Worker's Compensation law, a worker who is injured on the job is entitled to a benefit effectively calculated as follows: the worker's average weekly wage at the time of injury minus the worker's average weekly wage after the injury. Players have argued that their wages should be calculated on an annual basis rather than by their wages at the time of injury.

To read the full article, [click here](#).

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NEW ORLEANS

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Lynn Swanson Appointed to Cafe Hope Board of Directors

[Lynn Swanson](#) was recently appointed to the Board of Directors of [Cafe Hope](#), a Southern Louisiana farm-to-table restaurant located in Marrero that provides real-life training through restaurant internships. In so doing, the organization prepares at-risk youth for the restaurant and hospitality industry, providing valuable skills that can be put to use along the path to self-sufficiency. Beyond professional development, Café Hope also offers educational courses and intensive life skills, including financial literacy, dressing for success, nutrition, and spirituality.



ABOUT THE FIRM

Jones, Swanson, Huddell & Garrison, LLC, is a boutique litigation law firm based in New Orleans, with a second office in Baton Rouge, Louisiana, which primarily handles complex commercial and environmental/property disputes. In the commercial and environmental litigation arenas, the firm has and continues to represent many of Louisiana's and the Southeast's largest and most active business entrepreneurs and landholders, while also retaining a sharp focus on the representation of smaller businesses and individuals. Jones Swanson has served as lead counsel in New York, Connecticut, Massachusetts, California, and Texas, as well as in Mississippi, Alabama, Florida, and Louisiana.



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