

3502434070-24834-20337-177-113

From: Marcia K McNutt <mcnutt@usgs.gov>
Sent: Wed, 4 Aug 2010 15:27:42
To: GS FOIA 0105 <foia0105@usgs.gov>
Subject: Fw: A request re serving as a Gulf spill technical expert or witness for third parties

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----- Forwarded by Janet N Arneson/DO/USGS/DOI on 08/04/2010 03:27 PM -----

From: "Wereley, Steven T." <wereley@purdue.edu>

To: Mark K Sogge <mark_sogge@usgs.gov>, "Bill.Lehr@noaa.gov" <Bill.Lehr@noaa.gov>

Cc: "mcnutt@usgs.gov" <mcnutt@usgs.gov>

Date: 06/16/2010 05:38 PM

Subject: RE: A request re serving as a Gulf spill technical expert or witness
for third parties

Hi Mark, I've been contacted by the 3 entities: NOAA (to work on the NRDA), the attorney general of LA, and a private group of lawyers pursuing a class action suit against BP. I have agreed to work with NOAA and I can't imagine this causes a problem. Regarding the other two, I've been talking preliminaries with them but haven't actually signed anything or performed any analysis for either other group.

This does, however, bring up the question of when our service with the FRTG will be at an end. I owe Bill Lehr a final report (sorry Bill—I'm working on it) and then I thought we were done. Are there any expected future duties of the FRTG? I would certainly be available to serve the FRTG at a future date if further measurements should be required even if we said that presently our tenure with the group is complete...

Best,

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From: Mark K Sogge [mailto:mark_sogge@usgs.gov]
Sent: Wednesday, June 16, 2010 5:28 PM
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Cc: mcnuttt@usgs.gov
Subject: A request re serving as a Gulf spill technical expert or witness
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Dear Plume Team members,

As we discussed in the call last week (Monday, June 7), it is highly likely that the work your team is doing will become the focus of litigation. Based on your outstanding professional and academic credentials, as well as your specific expertise, third parties with a stake in the outcome of potential litigation related to the Gulf oil spill (e.g., state and local governments, private citizens, potential defendants) may contact you with offers of employment.

The Department of Justice has asked us to request that, until such time as you conclude your valuable service to the country as a member of the FRTG, you refrain from accepting employment from any such third party, governmental or private, as an expert witness or consultant. We assume that no one has yet accepted any offers from a third-party to act as an expert, but if you have been contacted to act as an expert, I would appreciate it if you would let me know immediately.

Let me know if you have any questions or concerns. Thank you.

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Mark

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