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## Alabama Lawsuit Causes Internal Strife

**Nicholas Lund, J.D..**

On August 12th, Alabama Attorney General Troy King filed suit against BP seeking punitive and compensatory damages resulting from “negligent or wanton failure to adhere to recognized industry standards” in the lead-up to the Deepwater Horizon spill.<sup>1</sup> Though a specific number was not included in the Complaint because of the ongoing nature of cleanup efforts, King sought damages for a wide range of past, present and future harms including cleanup costs, loss of tax revenue, environmental harms, and damage to State property.<sup>2</sup>

While Attorney General King’s Complaint seemed to have the best interest of Alabamians in mind, it was filed against the wishes of one important citizen: Governor Bob Riley. Also on August 12th, the governor and other state officials filed a \$148 million claim for lost tax revenue directly with BP, which has set up a \$20 billion fund to deal with spill-related claims. The governor claimed that King’s lawsuit would serve only to delay the claim process and “primarily served to enrich private attorneys rather than get the state needed damages.”<sup>3</sup>

Governor Riley’s fears were realized on September 16th, when BP announced that Alabama’s claim was blocked because of the pending lawsuit. The governor was outraged, and said he was forced to cut another two percent of the state’s education budget because the expected claim money would not be coming.<sup>4</sup> King defended his actions by saying that the lawsuit was intended to force BP into action, and equating Governor Riley to a “panhandler begging for crumbs” from BP.<sup>5</sup> Other states, including Mississippi and Florida, continue to calculate the damages to their respective coasts and plan to submit claims directly to BP. If those claims are not fulfilled, those states are prepared to take their disputes to court.

### Endnotes

1. Complaint at ¶ 17, *Alabama v. BP*, No. 2:10-cv-00690-MEF-SRW (M.D. Al. Aug. 12, 2010).
2. *Id.* at ¶ 26.
3. Sebastian Kitchen, *Breakdown of \$148M Claim to BP*, *Montgomery Advertiser*, Sept. 19, 2010, at NEWS.
4. Jeff Amy, *BP Refuses to Pay Alabama’s Oil Spill Claim, Citing Lawsuit; State Education Budget Cut*, *Alabama Press-Register*, Sept. 16, 2010 available at: [http://blog.al.com/live/2010/09/bp\\_refuses\\_to\\_pay\\_alabamas\\_oil.html](http://blog.al.com/live/2010/09/bp_refuses_to_pay_alabamas_oil.html).
5. Markesia Ricks, *King, Riley Continue to Spar Over BP Payments, Lawsuit, Proration*, *Montgomery Advertiser*, Sept. 17, 2010, at NEWS.

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