



United States Department of the Interior


OFFICE OF THE SOLICITOR
Washington, D.C. 20240

IN REPLY REFER TO:

Memorandum

FEB 28 2017

To: All Employees

From: Ed Keable, Deputy Solicitor – General Law 

Subject: Removal of *Deepwater Horizon* Litigation Hold

Elimination of *Deepwater Horizon* Litigation Hold: On June 4, 2010 the Department issued a Preservation Notice for information related to the *Deepwater Horizon* incident that occurred on April 20, 2010, the Department's activities related to the incident, and any potential claims that may have arisen from the incident. The Department of Justice has notified the Office of the Solicitor that, pursuant to pretrial order 61 in the multi-district litigation concerning the incident, the obligation of the United States to preserve information for the purposes of discovery in the multi-district litigation is terminated. Given the termination of the obligation to preserve, the *Deepwater Horizon* litigation hold is lifted and is no longer in effect.

Applicable Record Retention Policies: With the termination of the litigation hold, employees are once again subject to the following standard records policies, which continue to apply to the information formerly subject to the litigation hold:

Federal Records: Employees must continue to manage all federal records in compliance with the applicable federal records schedules and other retention requirements.

Other Legal Holds and Preservation Orders: Litigation holds and preservation orders unrelated to the *Deepwater Horizon* litigation are still in effect and may apply to documents, emails, and other materials that were previously retained pursuant to the *Deepwater Horizon* litigation hold.

Other Anticipated Litigation: If you anticipate any litigation arising out of a dispute that arises under the Consent Decree issued in the multi-district litigation, including the reservation of rights to recover certain response costs, the Department may need to institute a separate litigation hold for evidence related to that anticipated litigation. Please contact the Office of the Solicitor if that is the case.

If you have any questions about disposition of records, please contact your bureau records officer. Contact information for the bureau records officers is located at <http://www.doi.gov/ocio/people/records-management-contacts.cfm>.

If you have any other questions regarding the removal of the *Deepwater Horizon* Litigation Hold, please contact Tony Irish in the Office of the Solicitor at tony.irish@sol.doi.gov or 202-208-5065.