

Quivik Expert Response Report—BPXP

understand the legal organization of the BP group; that was the responsibility of the group corporate secretary's office, BP legal, BP tax, and BP treasury.

The BPXP appointment history shows that James Dupree was appointed president and chairman of BPXP in February 2010 and served in that capacity until October 2013. He had become leader of the Gulf of Mexico SPU in late 2009, and he was in that post during the Macondo blowout. At the time of his 2011 deposition, his title was regional president for the Gulf of Mexico, which he noted was not really a promotion but rather a name-change for his position that accompanied BP's reorganization in the Gulf in the wake of the Macondo disaster. When describing the management organization for the Gulf of Mexico, which included assets held by BPXP, he did not mention BPXP as part of the organization, nor did he mention that he was an officer of BPXP. Dupree had earlier experience in the Gulf as well; he took a position as head of BP's business unit for production in 1999, when BP's organizational structure for operations was different. At that time, there were three BP business units in the Gulf, one each for developments, exploration, and production. Again, when describing operations conducted on BPXP's assets, he did not mention any role that BPXP might have had in those operations.³² As with Neil Shaw, Dupree's lack of awareness of BPXP's role in the Gulf is not surprising because, as BP documents make clear, the organization for managing operations, of which Dupree was a key part, was the organization through which his delegation of authority flowed. He did not need to be aware of the legal structure of the BP group, because that was the responsibility of BP tax, BP treasury, etc.

2. BP Managers Who Were Not BPXP Employees and Were Not Officers of BPXP

The above paragraphs describe individuals who manage or managed facets of BP's operations in the Gulf, have BPXP titles, and yet who thought of their management functions deriving from the authority delegated them through the organizational structure of the upstream segment, not through their titles as BPXP officers. There is another side of BP p.l.c.'s management of operations that must be emphasized, and that concerns the operations managed by individuals with no BPXP titles, most notably in the Gulf of Mexico's Drilling & Completions (D&C) organization, which I described in my expert report. Kevin Lacy was vice president for D&C in the Gulf in 2008 and 2009, and he was replaced by Patrick O'Bryan in late 2009. Lacy oversaw the engineers who planned the Macondo well, and he oversaw the well site team in 2009, when the *Marianas* began drilling the well. O'Bryan oversaw the well site team that resumed drilling the well in early 2010, when the *Deepwater Horizon* moved into position, and O'Bryan was in charge of the drilling operation when the Macondo blowout occurred in April. If there was an especially active phase of operations at BPXP's asset known as MC252, certainly it was the period during which the well was being drilled. Both Lacy and O'Bryan oversaw the BP personnel who had responsibility for well control, for example. Yet the BPXP

³² James H. Dupree, deposition in re the *Deepwater Horizon* dated 16 June 2011, pp 14-16, 39-44, 57-62, 70-74.