

MASTER FILE NO. 10UC0001

IN RE:	§	IN THE DISTRICT COURT OF
	§	
TEXAS CITY REFINERY	§	
ULTRACRACKER EMISSION EVENT	§	GALVESTON COUNTY,
LITIGATION	§	TEXAS
	§	
	§	56TH JUDICIAL DISTRICT

This document applies to all cases

**DEFENDANTS' ORIGINAL MASTER ANSWER TO THE PLAINTIFFS' STEERING COMMITTEE'S MASTER ORIGINAL PETITION**

BP Products North America Inc., BP, p.l.c., BP America, Inc., BP Corporation North America, and Keith Casey ("Defendants") file this Original Master Answer to the Plaintiffs' Steering Committee's Master Original Petition ("the Petition").

**GENERAL DENIAL**

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendants enter a general denial of all matters pled or asserted by Plaintiffs in their Master Original Petition and any subsequent petitions.

**AFFIRMATIVE DEFENSES**

1. BP p.l.c. specifically denies that it committed any torts against Plaintiffs.
2. BP p.l.c. specifically denies that it is the alter ego of BP Products North America, Inc., or any of the other defendants, under Texas law.
3. Defendants assert that this MDL, *In Re: Texas City Refinery Ultracracker Emission Event Litigation*, is predicated on the emission event that occurred at the Texas

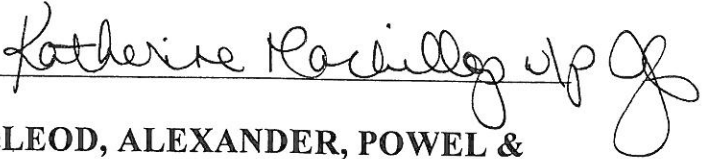
City Refinery during April and May of 2010, and it is not the proper forum to aggregate some 77 other purported incidents that allegedly also caused Plaintiffs' injuries.

**Jury Demand**

Defendants demand a trial by jury.

BP Products North America Inc., BP, p.l.c., BP America, Inc., BP Corporation North America, and Keith Casey pray for all relief to which they may be justly entitled.

Respectfully submitted,

By 

**McLEOD, ALEXANDER, POWEL &  
APFFEL, P.C.**

James B. Galbraith  
State Bar No. 07574400  
David P. Salyer  
State Bar No. 17549680  
802 Rosenberg Street  
P. O. Box 629  
Galveston, Texas 77550-2104  
Telephone: 409/763-2481  
Facsimile: 409/762-1155

**TEKELL, BOOK, ALLEN & MORRIS,  
L.L.P.**

Kenneth Tekell, Sr.  
State Bar No. 19764000  
Mike Morris  
State Bar No. 14495800  
1221 McKinney, Suite 4300  
Houston, Texas 77010-2010  
Telephone: 713/222-9542  
Facsimile: 713/655-7727

**FULBRIGHT & JAWORSKI L.L.P.**

Otway B. Denny, Jr.  
State Bar No. 05755500  
Katherine Mackillop  
State Bar No. 10288450  
Fulbright Tower  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
Telephone: 713/651-5151  
Facsimile: 713/651-5246

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

In compliance with Rules 21 and 21a of the Texas Rules of Civil Procedure, this pleading was served upon the following counsel of record on April 21, 2011.

**Plaintiffs' Liaison Counsel**

Anthony G. Buzbee

THE BUZBEE LAW FIRM

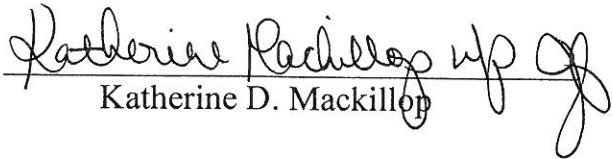
600 Travis Street, Suite 7300

Houston, Texas 77002-3015

713-223-5393 (Telephone)

713-223-5909 (Facsimile)

*Via Certified Mail, Return Receipt Requested*

  
Katherine D. Mackillop