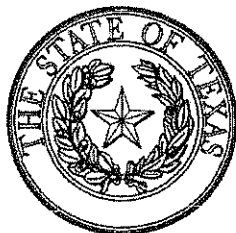


Opinion issued February 9, 2007.



In The
Court of Appeals
For The
First District of Texas

NO. 01-06-00943-CV

IN RE BP PRODUCTS NORTH AMERICA, INC., Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

By petition for writ of mandamus, relator, BP Products North America, Inc. ("BP"), challenges the trial court's¹ October 11, 2006 order setting aside the Rule 11

¹ Respondent is the Honorable Susan E. Criss of the 212th District Court of Galveston County, Texas. The underlying suit is *In re: Texas City Explosion, March 23, 2005, Coordinated Discovery Proceedings*, Cause No. 05-CV-0337-A, (212th Dist. Ct., Galveston County, Tex.).

agreement between BP and the Plaintiffs' Steering Committee² and denying BP's motion to quash the deposition of and motion for protection for John Browne, the Executive Director and Group Chief Executive of BP, p.l.c. On October 10, 2006, we stayed the deposition of John Browne. On November 22, 2006, we granted the parties' agreed motion to abate this mandamus proceeding.

We **vacate** our prior order to abate this mandamus proceeding, and we reinstate this mandamus proceeding on the Court's active docket.

We **deny** the petition for writ of mandamus.

We **vacate** our prior order staying the deposition of John Browne.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Alcala and Higley.

² The trial court appointed a Plaintiffs' Steering Committee to speak on behalf of claimants for purposes of resolving discovery disputes prior to trial.