

LEGAL HISTORY TIMELINE

2010



April 20, 2010

An uncontrolled blowout of hydrocarbons causes an explosion and fire aboard the Deepwater Horizon oil rig in the Gulf of Mexico

April 21, 2010

Kurt joins the Deepwater Horizon disaster response team



July 15, 2010

Kurt helps successfully execute the "capping stack" procedure, which stops the flow of oil

September 16, 2010

The relief well casing program, well intercept, and hydraulic kill—designed and executed by a team on which Kurt served as project lead—successfully intercepts and seals the blown-out Macondo Well over 13,000 feet below the sea floor



September 27, 2010

Kurt provides BP's document collection vendor with complete access to all of his oil spill response files; he offers the vendor his iPhone, with every text message still on it, but the vendor does not take it

2011

March 7, 2011

Department of Justice announces creation of "Deepwater Horizon Task Force"

August 22, 2011

Eleven months after BP's document collection vendor originally indicated to Kurt that his iPhone was not needed for collection, the vendor now comes back and tells Kurt that it needs to make a copy of the iPhone after all; Kurt tells the vendor that he had already deleted some of his text messages



August 25, 2011

Kurt hires a computer expert to forensically recover the deleted text messages, which he then provides to the Department of Justice



2012

April 24, 2012

FBI agents, with their guns drawn, storm Kurt's home to arrest him and interrogate his wife; agents take Kurt on a "perp walk"



May 2, 2012

Task Force prosecutors indict Kurt on two felony counts of obstruction of justice for text message string deletions that occurred in October 2010 and August 2011



August 9, 2012

Task Force prosecutors tell federal judge that Kurt's nearly perfect preservation of his oil spill response records is irrelevant to whether he was trying to hide evidence

October 2, 2012

Kurt asks federal judge to dismiss Count 2 of the indictment because the deleted text messages he exchanged with his friend Wilson Arabie had nothing to do with the oil spill response



November 8, 2012

Task Force prosecutors promise the judge that there are important "nuances" in the deleted Arabie text messages; those nuances never materialize

2013

April 16, 2013

Kurt's defense lawyers discover that the Task Force prosecutors were withholding evidence supporting Kurt's innocence ("Brady" Materials)



August 21, 2013

Department of Justice moves to withdraw from the case the Task Force prosecutors who indicted Kurt



August 26, 2013

Kurt asks judge to dismiss the indictment because the grand jury transcripts reveal that Task Force prosecutors unconstitutionally manipulated the grand jury's decision to indict



December 2 – 18, 2013

- Dec. 2 – Kurt's trial begins
- Dec 10 – Kurt's lawyers move for a mistrial due to gross prosecutorial misconduct during trial
- Dec. 10 – Judge denies mistrial motion but warns Task Force's new lead prosecutor her conduct was "right on the precipice"
- Dec.12 – After the close of the prosecution's case, judge admonishes Task Force prosecutors that nothing in the Arabie text message string had anything to do with the oil flow rate
- Dec. 18 – Jury reaches a verdict (not guilty on Arabie deletion, guilty on Sprague deletion)



2014

January 2, 2014

Kurt's defense lawyers file a motion for a new trial, after learning that the jury engaged in unconstitutional misconduct during its deliberations



June 12, 2014

Judge grants Kurt a new trial, finding that the jury's misconduct unconstitutionally polluted its guilty verdict



October 31, 2014

Task Force asks Court of Appeals to reinstate the jury's corrupted verdict



2015

January 9, 2015

Kurt's lawyers respond to the Task Force's appeal brief



June 2, 2015

Federal judge throws out a separate obstruction of Congress charge that the Task Force filed against BP employee David Rainey



June 5, 2015

Jury acquits BP employee David Rainey of the remaining charge against him



June 30, 2015

Court of Appeals unanimously agrees that Kurt is entitled to a new trial



November 6, 2015

Task Force agrees to dismiss all obstruction of justice charges against Kurt



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