

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE KATRINA CANAL BREACHES
CONSOLIDATED LITIGATION

CIVIL ACTION

NO. 05-4182

PERTAINS TO:

05-4191, 05-4568, 05-5237, 05-6073, 05-6314, 05-6324,
05-6327, 05-6359, 06-0020, 06-0225, 06-0886, 06-1885,
06-2278, 06-2287, 06-2346, 06-2545, 06-3529, 06-4065,
06-4389, 06-4634, 06-4931, 06-5032, 06-5042, 06-5159,
06-5163, 06-5367, 06-5471, 06-5771, 06-5786, 06-5937,
06-7682, 06-11208, 07-0206, 07-0647, 07-0993, 07-1284,
07-1286,¹ 07-1288, 07-1289, 07-4551, 07-4552, 07-4553,
07-4554, 07-4556, 07-4950, 07-4951, 07-4954, 07-4955,
07-4956, 07-4959, 07-4961, 07-4962, 07-4986, 07-4987,
07-4999, 07-5010, 07-5148, 07-5150, 07-5314, 07-5315,
07-5316, 07-5317, 07-5320, 07-5325, 07-5326, 07-5328,
07-5331, 07-5332, 07-5333, 07-5335, 07-5336, 07-5337,
07-5357, 07-5358, 07-5359, 07-5360, 07-5370, 07-5372,
07-5377

ORDER

The *In re Katrina Canal Breaches Consolidated Litigation*, C.A. No. 05-4182 has served as the “Katrina Umbrella” wherein all cases in which the legal issues surrounding the levee breaches which occurred in the aftermath of Hurricane Katrina have been consolidated and have been categorized by topic. This Court at the inception of this process planned that the Katrina Umbrella would be dismantled incrementally after the fundamental issues involved in each category had been resolved, and to date the Court has proceeded with this course of conduct. This Court finds that the LEVEE category has reached this point of departure. Accordingly,

¹This case number was omitted erroneously in plaintiffs’ filing as the “Final Order and Judgment” included C.A. 07-1286 and the pleading (Doc. 19987) omitted same.

DEC - 9 2010
REALLOTTED TO

SECT. B *m*

____ Fee _____
____ Process _____
 Dktd _____
____ CtRmDep _____
____ Doc No _____

IT IS ORDERED that the following cases which are presently part of the Master Consolidated Class Action in the LEVEE category or are tag-along LEVEE designated suits are hereby **SEVERED FROM THE IN RE: KATRINA BREACHES CONSOLIDATED LITIGATION, C.A. NO. 05-4182 AND THE CLERK IS DIRECTED TO RANDOMLY REALLOT THESE CASES TO A JUDGE OF THIS COURT:**

LEVEE CASES CURRENTLY ON APPEAL:

✓05-4191	Vodanovich vs. Boh Brothers Construction Co., LLC, et al
05-4568	Harvey, et al vs. Board of Commissioners for the Orleans Levee District, Parish of Orleans
05-5237	Vodanovich vs. Boh Brothers Construction Co., LLC, et al
05-6073	Kirsch, et al vs. Boh Brothers Construction Co., et al
05-6314	Ezell, et al vs. Boh Brothers Construction Co., et al
05-6324	Brown, et al vs. Boh Brothers Construction Co., LLC, et al
05-6327	LeBlanc, et al vs. Boh Brothers Construction Co., LLC, et al
05-6359	Bradley, et al vs. Modjeski and Masters, Inc.
06-0020	Tauzin, et al vs. Board of Commissioners for the Orleans Levee District, et
06-0225	Bradley, et al vs. Pittman Construction Co., Inc, et al
06-0886	Finney, et al vs. Boh Brothers Construction Company, LLC, et al
06-1885	O'Dwyer, et al vs. United States of America
06-2278	Christenberry, et al vs. Board of Commissioners for the Orleans Levee District, et al
06-2287	Sanchez, et al vs. Boh Brothers Construction Co., et al
06-2346	Fitzmorris, et al vs. Board of Commissioners for the Orleans Parish Levee District, et al
06-2545	Marcello, et al vs. Boh Brothers Construction Company, LLC, et al
06-3529	Harvey, et al vs. Board of Commissioners for the Orleans Levee District, Parish of Orleans
06-4065	Adams, et al vs. Boh Brothers Construction Company, LLC, et al
06-4389	O'Dwyer, et al vs. Department of Transportation and Development, State of Louisiana, et al
06-4634	Adams, et al vs. Boh Brothers Construction Co., LLC, et al
06-4931	Brock, et al vs. Boh Brothers Construction Co., LLC, et al
06-5032	Joseph, et al vs. New Orleans Sewerage and Water Board, et al
06-5042	Cohen, et al vs. Board of Commissioners for the Orleans Levee District, et
06-5159	Fleming, et al vs. United States of America, et al
06-5163	Gordon, et al vs. United States of America, et al

06-5367 Briethoff (Weller), et al vs. Modjeski and Masters, Inc., et al
06-5471 Williams, et al vs. Board of Commissioners for the Orleans Parish Levee District, et al
06-5771 O'Dwyer, et al vs. United States of America
06-5786 O'Dwyer vs. Department of Transportation and Development, State of Louisiana, et al
06-5937 Yacob, et al vs. Board of Commissioners for the Orleans Levee District, et al
06-7682 Paul, et al vs. Sewerage and Water Board of New Orleans, et al
06-11208 Speed, et al vs. City of New Orleans, et al
07-0206 O'Dwyer vs. United States of America
07-0647 Greer, et al vs. United States Army Corps of Engineers
07-0993 Paul, et al vs. Sewerage and Water Board of New Orleans, et al
07-1284 Coco, et al vs. Board of Commissioners of the Orleans Levee District, et al
07-1286 Augustine, et al vs. United States of America, et al
07-1288 Hennessey, et al vs. United States of America, et al
07-1289 Coniglio, et al vs. United States of America, et al

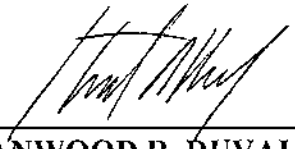
"TAG-ALONG" LEVEE CASES:

07-4551 Morial vs. United States of America, et al
07-4552 Kornman, et al vs. United States of America, et al
07-4553 White, et al vs. United States of America, et al
07-4554 Lobrano, et al vs. United States of America, et al
07-4556 Puccio, et al vs. United States of America, et al
07-4950 Plaisance vs. United States of America, et al
07-4951 WNO Ownership, LLC, et al vs. United States of America, et al
07-4954 DeSalvo vs. United States of America, et al
07-4955 DeSalvo vs. United States of America, et al
07-4956 DeSalvo vs. United States of America, et al
07-4959 Union Limited Partnership, et al vs. United States of America, et al
07-4961 Riverfront Lodging, LLC vs. United States of America, et al
07-4962 Jackson Brewery Marketplace, Ltd. vs. United States of America, et al
07-4986 Hotel Investors, LLC vs. United States of America, et al
07-4987 Blaum, et al vs. United States of America, et al
07-4999 Reese vs. United States of America, et al
07-5010 Plaisance vs. United States of America, et al
07-5148 Reese vs. United States of America, et al
07-5150 Reese vs. United States of America, et al
07-5314 Davis vs. United States of America, et al
07-5315 Omega Hospital, LLC vs. United States of America, et al
07-5316 Gerdes vs. United States of America, et al
07-5317 Abundance Square Associates, LP vs. United States of America, et al
07-5320 Jackson Brewery Marketplace, Ltd. vs. United States of America, et al

07-5325 Berenson, et al vs. United States of America, et al
07-5326 St. Augustine High School, et al vs. United States of America, et al
07-5328 Reese vs. United States of America, et al
07-5331 Jackson Brewery Marketplace, Ltd. vs. United States of America, et al
07-5332 Plaisance vs. United States of America, et al
07-5333 Plaisance vs. United States of America, et al
07-5335 Hotel Investors, LLC vs. United States of America, et al
07-5336 Blaum, et al vs. United States of America, et al
07-5337 Riverfront Lodging, LLC vs. United States of America, et al
07-5357 DeSalvo vs. United States of America, et al
07-5358 DeSalvo vs. United States of America, et al
07-5359 Dillard University, et al vs. United States of America, et al
07-5360 White, et al vs. United States of America, et al
07-5370 DeSalvo vs. United States of America, et al
07-5372 Reese vs. United States of America, et al
07-5377 WNO Ownership, LLC, et al vs. United States of America, et al

It must be noted that this Court has rendered a Conditional Judgment approving a Settlement Agreement among the various state agencies, which are the only remaining defendants in the LEVEE category. The Conditional Judgment is currently on appeal. The Master Consolidated Class Action and all of the above-named cases that comprise that class action have been stayed, pending the resolution of this appeal.

New Orleans, Louisiana, this 8th day of December, 2010.



STANWOOD R. DUVAL, JR.
UNITED STATES DISTRICT COURT JUDGE