

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
ALL CASES

PRETRIAL ORDER NO. 75

On August 20, 2010, the Court held a status conference in chambers with liaison counsel, steering committee members, and counsel for the Government. The following individuals were in attendance: Justin Woods, Joe Glass, Matt Moreland, Jim Percy, Stewart Tharp, Adam Dinnell, Tim Scandurro, Robert Becnel, Dave Kurtz, Karen Whitfield, Dennis Reich, Charles E. Leche, John J. Hainkel, Linda Nelson, Charles Penot, Lamont Domingue, Daniel Balhoff, Randi Ellis, Richard Hines, Jerry Meunier, Gerry Barrios, Raul Bencomo, Henry Miller, Richard Sherburne, and Mikal Watts. Following that conference, the Court held a general status conference in the courtroom, which was open to all counsel. As for the individuals in attendance, the Court has attached the sign in sheet from that conference.

During the conferences, the Court **ORDERED** as follows:

(1) **On or before Friday, September 10, 2010**, Plaintiffs' liaison counsel shall provide to defense counsel and to the Court a listing of bankrupt entities and direct action filings.

(2) The following four defendants shall serve as bellwether defendants in trials tentatively set for the following dates:

- a. Jayco, Inc. - Monday, January 31, 2011
- b. Sun Valley, Inc. D/b/a Sun Lite - Monday, March 28, 2011
- c. Coachmen RV Co. - Monday May 16, 2011
- d. KZ RV, LP - Monday, June 20, 2011

(3) **On or before Friday, September 10, 2010**, Plaintiffs shall provide to defense counsel and to the Court the names of 6 potential bellwether plaintiffs for each of the above-mentioned defendants. Plaintiffs shall identify which third party contractor is involved for each of the nominees and shall state whether the nominees have FEMA-ripe claims. As soon as possible thereafter, Defendants shall determine whether they can agree on the selection of one or more bellwether plaintiffs for the above-mentioned defendants. Defendants shall also advise plaintiffs whether each consent to a summary bellwether trial.

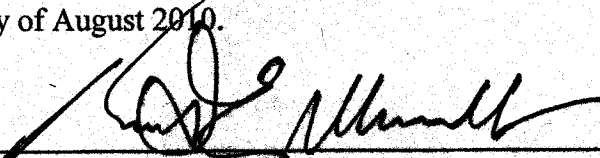
(4) The application/nomination process relating to committee membership is hereby re-opened. **On or before Friday, October 15, 2010**, those individuals presently

serving on a committee in this MDL shall indicate in a submission to chambers (by email or hard copy) whether he/she desires to continue to serve on such committee. Those not presently serving on a committee may also submit an application to chambers **on or before Friday, October 15, 2010**. All such submissions to chambers must also be served upon all liaison counsel on the day of submission. For a listing of the main criteria for membership in a committee, see generally, Pretrial Order No. 1 (Rec. Doc. 5). New applications should succinctly address each of the criteria as well as any other relevant matters. No submissions longer than three (3) pages will be considered.

(5) **On Friday, October 22, 2010 at 8:30 a.m.**, the Court will hold a status conference in chambers with liaison counsel, committee members, and counsel for FEMA. The Court notes that it will utilize a sign-in sheet and only members of the above-mentioned groups or individuals who have received prior permission of the Court will be allowed admission to this meeting.

(6) A general status conference, open to all counsel, will be held in the courtroom of the undersigned on **Friday, October 22, 2010 at 10:00 a.m.**

New Orleans, Louisiana, this 20th day of August 2010.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE

Trial Set: Jury/Non-Jury

MDL 1873
PLAINTIFF (S)

CIVIL/CRIMINAL ACTION NO.:

VERSUS

Fema Traiker
DEFENDANT (S)

Magistrate:

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: 8-20-10 TIME: 10:00 AM

PLEASE PRINT PLEASE PRINT

NAME FIRM REPRESENT

Robert Sheesley McGlinchey Sta.Pond Skyline / Lag ton

GLEN ADAMS PORTZOUS SF

Theresa Anderson MHP Adlers

Carson Strickland Gieger Laborde Forest River, Inc.

JASON BANE " " " "

Justin R. Woods BANSEUR BENSAMW PSC

Stewart Thayer Taylor Porter Coelum entities

Joe Glass Joe Glass Duplass

Man. Defendant Liaison/Gulf Stream

Trial Set: _____

Jury/Non-Jury

MDL 1873

PLAINTIFF (S)

CIVIL/CRIMINAL ACTION NO.:

VEHICLE

Fema Trailer

DEFENDANT (S)

Magistrate: _____

CONFERENCE: PRE-TRIAL _____ STATUS _____ SETTLEMENT _____

DATE: **8-20-10** TIME: **10:00 AM**

PLEASE PRINT PLEASE PRINT

NAME

FIRM

REPRESENT

Anne E. Briard	Lugenbuhl, Wheaton, Peck Rankin and Hubbard	Liberty Mutual Ins. Co.
Eric B. Berger	Lobman, Carnahan	Crum + Forster Specialty Ins Co.
Dewey Scandura	Scandura & Layson LLC	Gulf Stream
Kelly Brian	Jeunsonne & Remondet	Clarendon
Vacant	LLC.	
JOHN A. STEWART, JR.	HULSE & WANEK	JANUET
Larry Feldman	McGlone & Key	Skylone
Ben Maffouy	Labarde & Neome	Hendon Homes
DEVIS VEGA	Herrick & Leach	Harley
Cynthia Thomas	Galloway, Johnson	Sunny Brook RV

Trial Set: Jury/Non-Jury

MDL 1873
PLAINTIFF(S)

CIVIL/CRIMINAL ACTION NO.:

VERSUS

Fema Trailer
DEFENDANT(S)

Magistrate:

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: 8-20-10 TIME: 10:00 AM

PLEASE PRINT PLEASE PRINT

NAME

FIRM

REPRESENT

<u>NAME</u>	<u>FIRM</u>	<u>REPRESENT</u>
<u>TAM COUSILL</u>	<u>W, F & C</u>	<u>Jayco & Starcraft</u>
<u>BRENT MAGGIO</u>	<u>Allen + Boock</u>	<u>HEARTLAND + SUN VALLEY</u>
<u>LORI DABBLE</u>	<u>'' ''</u>	<u>'' ''</u>
<u>CHRIS PINELLO</u>	<u>CHRIS PINELLO AND ASSOC</u>	<u>PLANTERS</u>
<u>Sandy Deplantier</u>	<u>Hailey McNamara</u>	<u>Northwood + Allen Campers</u>
<u>Christine Lipsy</u>	<u>McLinda Stafford</u>	<u>Morgan Bldgs; Spay</u>
<u>CARL GIFFIN</u>	<u>BERNARD CASSISA</u>	<u>Superior Homes LLC</u>
<u>Lyon Garrison</u>	<u>Garrison Yount</u>	<u>RBD</u>
<u>Matthew Lindsay</u>	<u>Gillway, Johnson</u>	<u>Del-Jen</u>
<u>Russell Mucally</u>	<u>Garrison, Yount</u>	<u>RBD, TL</u>

Trial Set: _____

Jury/Non-Jury

MDL 1873

PLAINTIFF (S)

CIVIL/CRIMINAL ACTION NO.:

VERSUS

Fema Trailer

DEFENDANT (S)

Magistrate: _____

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: 8-20-10

TIME: 10:00 AM

PLEASE PRINT PLEASE PRINT

<u>NAME</u>	<u>FIRM</u>	<u>REPRESENT</u>
<u>Dennis Reich</u>	<u>Reich & Binstock</u>	<u>PSC - TS</u>
<u>Richard Sherburne</u>	<u>Middleberg, Riddle</u>	<u>Fluor</u>
<u>Charles Penet</u>	<u>"</u>	<u>"</u>
<u>Robert M. Beavel</u>	<u>Beavel</u>	<u>PSC</u>
<u>Adam M. Dimly</u>	<u>DOO</u>	<u>USA</u>
<u>Douglas McCann</u>	<u>—</u>	<u>—</u>
<u>Ryan Johnson</u>	<u>Jones Walker</u>	<u>Defendants</u>
<u>Delbert Miller</u>	<u>KZRV LP</u>	<u>KZRV LP</u>
<u>Janet MacDONELL</u>	<u>same</u>	<u>Agbayani</u>

Trial Set: _____

Jury/Non-Jury

M.D.L 1873

PLAINTIFF (S)

CIVIL/CRIMINAL ACTION NO.:

VERSUS

Fema Trailer

DEFENDANT (S)

Magistrate: _____

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: 8-20-10 TIME: 10:00 A.M.

PLEASE PRINT PLEASE PRINT

<u>NAME</u>	<u>FIRM</u>	<u>REPRESENT</u>
<u>Lamont Dominique</u>	<u>Voorhies & Labbe</u>	<u>Cavalier, et al</u>
<u>J. Hamid</u>	<u>Bouffard Frilot</u>	<u>Bouffard</u>
<u>Henry Miller</u>	<u>US DOT</u>	<u>USA</u>
<u>David Kutz</u>	<u>Baker Donelson</u>	<u>Contractors Liaison</u>
<u>Gerry Barris</u>	<u>Baker Donelson</u>	<u>ATM Hill</u>
<u>Paul R. Bencano</u>	<u>BENCOMO & Assoc</u>	<u>PSC</u>
<u>Michael Watts</u>	<u>Watts Guerra Corp</u>	<u>HS</u>
<u>Gunda Hill</u>	<u>Lambert + Nelson, PC</u>	<u>PSC</u>
<u>Ralph Hubbard</u>	<u>Kugentruhl</u>	<u>Contractor Liaison</u>
<u>Jim Perry</u>	<u>Jones Walker</u>	<u>Keystone et al</u>