

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

ORDER

On May 22, 2009, the Court held a telephone status conference with the following counsel participating: Justin Woods, Jerry Meunier, Andy Weinstock, Joe Glass, Dave Kurtz, Karen Whitfield, Adam Dinnell, and Adam Bain. During the conference, the Court **ORDERED** as follows:

(1) **On or before Monday, June 1, 2009**, the parties shall provide to the Court a revised, all inclusive juror questionnaire. If there is an objection to a particular question, it should be noted in a short paragraph directly below the particular question. The paragraph shall include explanation as to who is objecting and why.

(2) **On or before Monday, June 15, 2009**, the parties shall submit to the Court either an unopposed joint proposal or competing proposals on (a) the number of jurors to use in the upcoming bellwether trials and (b) the number and split of juror challenges.

(3) Relative to the **first bellwether trial** beginning on September 14, 2009, a proposed jury verdict form must be electronically filed or delivered to chambers and opposing counsel no later than **Monday, June 15, 2009**. The parties are to attempt to agree on a joint proposed jury verdict form. Any objections to the jury verdict form shall be electronically filed

or delivered to chambers and opposing counsel no later than **Wednesday, June 24, 2009.**

(4) Relative to the **first bellwether trial** beginning on September 14, 2009, proposed jury instructions (including a list of the numbers of requested instructions from the Fifth Circuit pattern instructions) must be electronically filed or delivered to chambers and opposing counsel **no later than Thursday, July 2, 2009.** With the exception of proposed jury instructions that are contained in the Fifth Circuit pattern jury instructions, these documents are also to be transmitted (in Word Perfect or Word format) via email to the law clerk of the undersigned at amanda_ballay@laed.uscourts.gov **on or before Thursday, July 2, 2009.** Any objections to the proposed jury instructions shall be electronically filed or delivered to chambers and opposing counsel **no later than Friday, July 17, 2009.**

(5) Fifth bellwether trial: Carrie Smith shall serve as the bellwether plaintiff against Recreation By Design, LLC in the fifth bellwether trial. This bellwether trial shall begin on **Monday, May 17, 2010.** An Amended Complaint setting forth Carrie Smith's claim(s) shall be filed **on or before Monday, June 29, 2009.** **On or before Monday, June 1, 2009,** defense liaison counsel shall submit to the Court an unopposed proposed scheduling order pertaining to the fifth bellwether trial

New Orleans, Louisiana, this 27th day of May, 2009.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE