

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
Member Case No. 09-8486

ORDER AND REASONS

Before the Court is a "Motion for Leave to Amend to Add Plaintiffs," (Rec. Doc. 24008), filed by plaintiffs. Defendant Skyline Corporation has filed a "Notice of No Opposition to Motion for Leave to Amend Subject to a Reservation of Rights by Skyline Corporation" (Rec. Doc. 24118), in which Skyline Corporation states that it does not oppose the instant motion, subject to a full reservation of its right to raise any and all defenses, including, without limitation, prescription. No other memorandum in response to the instant motion was filed by any party.

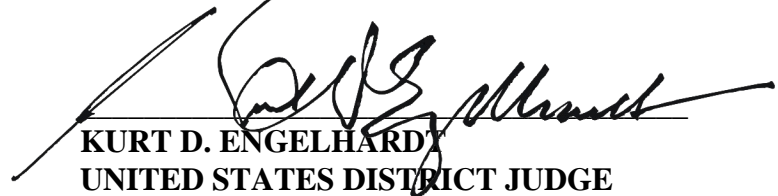
Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed eight days prior to the noticed submission date. Considering that no memorandum in opposition to "Motion for Leave to Amend to Add Plaintiffs," (Rec. Doc. 24008), noticed for submission on January 25, 2012, was filed; and considering that defendant Skyline Corporation has filed a "Notice of No Opposition to Motion for Leave to Amend Subject to a Reservation of Rights by Skyline Corporation" (Rec. Doc. 24118), as described above;

accordingly,

IT IS ORDERED that “**Motion for Leave to Amend to Add Plaintiffs,**” (Rec. Doc. **24008**), is hereby **GRANTED**, allowing plaintiffs to file Plaintiffs’ Amended Complaint for Damages, subject to a full reservation of rights by Skyline Corporation, as set forth in Rec. Doc. 24118.

A motion for reconsideration of this Order, if any, must be filed within twenty-eight days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys’ fees, will be assessed against the party moving for reconsideration. *See* FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys’ fees no later than eight days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana, this 26th day of January, 2012.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE