

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: CHINESE-MANUFACTURED )  
DRYWALL PRODUCTS )  
LIABILITY LITIGATION )  
 ) CIVIL NO. 09-MD-2047 "L"  
 ) SECTION "L"  
 ) NEW ORLEANS, LOUISIANA  
 ) THURSDAY, SEPTEMBER 18, 2014  
 ) STATUS CONFERENCE AND MOTION  
THIS DOCUMENT RELATES TO: )  
 )  
ALL CASES )  
 )  
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TRANSCRIPT OF PROCEEDINGS  
HEARD BEFORE THE HONORABLE ELDON E. FALLON  
UNITED STATES DISTRICT JUDGE

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PROCEEDINGS REPORTED BY MECHANICAL STENOGRAPHY. TRANSCRIPT  
PRODUCED BY COMPUTER AIDED TRANSCRIPTION.

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1 NEW ORLEANS, LOUISIANA; THURSDAY, SEPTEMBER 18, 2014 08:50AM

2 9:00 A.M. 08:50AM

3 THE COURT: Be seated, please. Good afternoon, ladies 09:01AM  
4 and gentlemen. 09:01AM

5 Call the case. 09:01AM

6 CASE MANAGER: MDL 2047, In Re: Chinese manufactured 09:01AM  
7 Drywall Products Liability Litigation. 09:01AM

8 MR. LEVIN: For the plaintiffs, Arnold Levin for Russ 09:01AM  
9 Herman and the PSC. 09:01AM

10 And I might add that we may send some of our 09:01AM  
11 plaintiffs counsel over to Kerry Miller. He looks very lonely. 09:01AM  
12 It's the first time I've ever seen his table with only one 09:01AM  
13 defense counsel. 09:01AM

14 MR. MILLER: I think because the PSC has scared them 09:01AM  
15 all off. 09:02AM

16 Kerry Miller on behalf of the defense steering 09:02AM  
17 committee and Knauf. 09:02AM

18 THE COURT: We have a number of people on the phone so 09:02AM  
19 please use the microphones. 09:02AM

20 Anything on pretrial orders? 09:02AM

21 I met with the lead liaison counsel a moment ago 09:02AM  
22 to go over the proposed agenda with them. 09:02AM

23 Anything on pretrial orders? 09:02AM

24 MR. LEVIN: No, sir. 09:02AM

25 THE COURT: State court trial settings? 09:02AM

1 MR. LEVIN: Ms. Barrios is not here, but we don't have 09:02AM  
2 anything. 09:02AM

3 THE COURT: Anything on class action complaints? 09:02AM

4 MR. LEVIN: The last class action complaint that was 09:02AM  
5 filed is Omni 19. And that's again S-A-S-C, SASC, a Chinese 09:02AM  
6 company. The complaint has landed in China. It's been 09:02AM  
7 translated. It's been received by the proper entity in China. 09:02AM  
8 And we've been advised by our service processor that, from the 09:02AM  
9 time it lands until the time it may get into the hands of that 09:03AM  
10 particular defendant, takes six months. So we have filed an 09:03AM  
11 extension for service this week. And there's not much we can do 09:03AM  
12 about China, as we know in this courtroom. 09:03AM

13 THE COURT: All right. 09:03AM

14 Any motion for the. 09:03AM

15 Litigation and expense fund? I know you all have 09:03AM  
16 been meeting. 09:03AM

17 MR. LEVIN: No, sir. The fee committee has been 09:03AM  
18 meeting. We've conducted all interviews over the common fee 09:03AM  
19 benefit applicants and we are now getting to the next stage of 09:03AM  
20 the fee allocation. We will submit an order to Your Honor to 09:03AM  
21 bring us along as to the next date and time. I know that's 09:03AM  
22 under consideration. But at this point that will not interfere 09:03AM  
23 with anything that the fee committee has to do. We can move on. 09:03AM

24 THE COURT: Any report for remediation programs? 09:03AM

25 MR. MILLER: Your Honor, Kerry Miller again. 09:04AM

1           The remediation program continues to go well, Your  
2 Honor. We're now into the new claim settlement, the settlement  
3 that we reached last August. And Moss is looking to wrap those  
4 homes up in the next three to six months.

5           THE COURT: Good.

6           Anything on the INEX, Banner, Knauf, Global  
7 settlements?

8           MR. LEVIN: Nothing in particular, but we'll hear a lot  
9 about that in the BrownGreer report.

10          THE COURT: Why don't we go to that at this time. Let  
11 me hear the BrownGreer report.

12          MR. WOODY: Good morning, Your Honor. My name is Jake  
13 Woody, I'm from BrownGreer, here to give the Court's monthly  
14 status report.

15           Start, as always, with the total number of claims.

16           We have received 22,422 claims. We've completed  
17 review of 19,114 of those. The only claim type that we haven't  
18 completed a review of to-date is miscellaneous claims, and we're  
19 working through those. But we have completed review of all the  
20 other claim types.

21           By far, our largest claim is the Global, Banner  
22 INEX repair and relocation claim. Of those, 10,236 are  
23 eligible. 1,454 are denied. And only one as of today is  
24 incomplete. Because we're so far along with that claim type,  
25 we've been able to work with the parties to issue claims

1 administrator procedure 2014-9 which authorizes us to begin 09:05AM  
2 disbursements for these claims. 09:05AM

3 This claim is made up of three different 09:05AM  
4 settlement funds. The Global fund, which is made up of 09:05AM  
5 contributions of over 700 entities. The Banner fund and the 09:05AM  
6 INEX fund. 09:06AM

7 The Global fund is divided into three separate 09:06AM  
8 pools: The builder pool, the supplier pool and the installer 09:06AM  
9 pool. 09:06AM

10 All of these settlement funds are subject to a 09:06AM  
11 separate pro rata calculation for us to determine how much a 09:06AM  
12 claimant is eligible to receive. 09:06AM

13 We make the pro rata calculation by dividing the 09:06AM  
14 total amount available for each fund by the total eligible 09:06AM  
15 square footage submitted against that fund. 09:06AM

16 For the Banner fund, that means that the per 09:06AM  
17 square foot amount or the amount that we'll pay -- we'll 09:06AM  
18 multiply the square footage of this amount to determine the 09:06AM  
19 compensation amount. For Banner, that amount is \$2.97. For 09:06AM  
20 INEX, it's \$.36. For the Global builder, it's \$2.03. Global 09:06AM  
21 supplier is \$3.36. The Global installer is \$.95. 09:06AM

22 These amounts of these clauses are in the cap. 09:07AM  
23 The way we did this is fairly simple math. We issued the cap on 09:07AM  
24 September 11th, last Thursday. And, since that time, we've 09:07AM  
25 issued just over \$6.5 million worth of checks for those 09:07AM

1 compensating 1,077 claims. The average per claim payment is 09:07AM  
2 \$6,041.56. 09:07AM

3 We'll continue to issue checks for as long as 09:07AM  
4 necessary to pay everybody who needs to be paid. We're working 09:07AM  
5 very quickly and I think we'll continue to see money go out of 09:07AM  
6 the door very quickly for these claims. 09:07AM

7 As you can imagine, we are receiving some fairly 09:07AM  
8 frequently asked questions. I wanted to just go over some of 09:07AM  
9 the basics of it real quickly. 09:07AM

10 People are asking where we'll send checks. We'll 09:07AM  
11 send checks to attorneys for represented claimants. The check 09:07AM  
12 will be made out to the claimant only and it's up to the 09:07AM  
13 attorney to get that check to their client. Pro se complaints 09:08AM  
14 will receive checks directly. 09:08AM

15 We are, because of the structure of the 09:08AM  
16 settlement, required in some cases to issue separate checks for 09:08AM  
17 one claim. We, for example, if someone's eligible for 09:08AM  
18 compensation from the Banner fund and the Global fund, we have 09:08AM  
19 to issue two checks because there are two accounts. So, in some 09:08AM  
20 cases, people may receive two checks, they'll be for different 09:08AM  
21 amounts, and they're both equally valid. 09:08AM

22 These payments that we're issuing now are only for 09:08AM  
23 Global, Banner, INEX claims. They don't cover other loss 09:08AM  
24 claims. If you're eligible for another loss payment, you'll 09:08AM  
25 receive separate payment by a separate check at a later date. 09:08AM

1           If you haven't received payment yet, it's very 09:08AM  
2 important that you check to make sure that you've submitted to 09:08AM  
3 us a W-9 form and a verification of claims form. Those are 09:08AM  
4 required by CAP-9. Both are available on our Chinese Drywall 09:08AM  
5 portal under the Paper Form section. I've also included the 09:09AM  
6 direct link in the PowerPoint that I will post later today or 09:09AM  
7 tomorrow for people who need to download those forms and submit 09:09AM  
8 those. Once we have those, we will be able to make payments. 09:09AM

9           Finally, if you need more information about any of 09:09AM  
10 this, the best place, the best source is the CAP itself, which 09:09AM  
11 posted that on our portal under the Claims Administrator 09:09AM  
12 procedure tab, and the direct link is in this PowerPoint as 09:09AM  
13 well. 09:09AM

14           THE COURT: Before you leave that, I think it would be 09:09AM  
15 helpful as we talk to give a breakdown to claims so that they 09:09AM  
16 understand it. 09:09AM

17           MR. WOODY: We'll post a breakdown for each payment on 09:09AM  
18 our portal for a particular claim. That will show exactly how 09:09AM  
19 we calculated the amount on the check, the square footage we 09:09AM  
20 used, the multiplier. It will have the PDF image of the check 09:09AM  
21 itself with the check number. And, eventually, it will tell the 09:09AM  
22 attorneys whether the check has been negotiated by the claimant. 09:09AM

23           We'll also post our usual reports in Excel 09:10AM  
24 spreadsheet form for attorneys and the firms to have their 09:10AM  
25 entire inventory in one place. It will give information about 09:10AM

1 -- just the same information about the checks and the numbers 09:10AM  
2 and the amounts and things like that. 09:10AM

3 THE COURT: Maybe liaison committee can work with you 09:10AM  
4 on some form letter that the lawyers can use to give to their 09:10AM  
5 clients with their check. 09:10AM

6 MR. WOODY: We'll work with them to put something that 09:10AM  
7 makes sense together. 09:10AM

8 THE COURT: All right. 09:10AM

9 MR. WOODY: I will talk just briefly about the other 09:10AM  
10 loss complains. 09:10AM

11 As I mentioned, we have completed review of those. 09:10AM  
12 In some cases, for bodily injury claims and pre-remediation 09:10AM  
13 alternative living claims, which we've abbreviated as PRALE 09:10AM  
14 here, we've long completed those reviews and those two claims 09:10AM  
15 types are quite far along. The best measure of how far along is 09:10AM  
16 the number of incomplete claims. You can see, for PRALE, we 09:10AM  
17 have eight. For bodily injury, we have 50. And those 50 will 09:10AM  
18 expire very shortly, and we should have no incomplete claims by 09:10AM  
19 the next status conference for both claim types. 09:11AM

20 Lost rent is not quite as far along. We have 276 09:11AM  
21 incompletes. Again, those, a significant amount of those should 09:11AM  
22 expire before the next conference. 09:11AM

23 The foreclosure and short-sale, which we just 09:11AM  
24 completed review of between now and the last conference, has 593 09:11AM  
25 incompletes. Again, those will continue to expire. 09:11AM

1           The number of open complaints is important because  
2 we have a set amount of money to compensate all of the Other  
3 Loss Claims. We need to have a good idea of the universe of  
4 eligible claims before we can begin to calculate how much those  
5 are worth and make payments. But I don't think that's too far  
6 off. We don't need to have zero incompletes for all to have a  
7 good idea of what's going on. I think, as the foreclosure and  
8 the lost rents continue to decrease in terms of open claims,  
9 we'll be able to work with the parties to figure out how much  
10 and when and how to pay these people.

11           I'll just touch briefly on the number of notices  
12 we've issued. We've issued 24,664 notices of all types to  
13 various claimants. In large part, the notification process is  
14 complete because we've completed review of all the claims and  
15 issued notices on them. I wouldn't expect this number to  
16 increase greatly but I do think it's a good measure of how  
17 vigorous our outreach has been, how many people have received  
18 communication from us about their claims.

19           Finally, Your Honor, I'll just touch briefly on  
20 our contact information, especially if people have questions  
21 about payment and checks. The best way to get ahold of us is by  
22 email at [cdwquestions@BrownGreer.com](mailto:cdwquestions@BrownGreer.com). If you need to call us,  
23 our toll-free number is 866-866-1729. If you have any questions  
24 about payment or claims, those two methods are the best way to  
25 contact us.

1 THE COURT: Thank you very much. It's good to see that 09:12AM  
2 people are now receiving funds. 09:12AM

3 MR. WOODY: Yes, sir. 09:12AM

4 THE COURT: Anything on shared costs? 09:12AM

5 MR. LEVIN: No, sir. 09:13AM

6 THE COURT: How about the Taishan defendants? 09:13AM

7 MR. LEVIN: At this point, we just received yesterday 09:13AM  
8 responses to our interrogatories. We're reviewing them. We're 09:13AM  
9 going to have a meet-and-confer shortly. And a privilege log is 09:13AM  
10 being created. And I'm sure at some point in time in the near 09:13AM  
11 future you'll have the entire package to make decisions on, sir. 09:13AM

12 THE COURT: Okay. 09:13AM

13 Anything on Venture Supply? 09:13AM

14 MR. DAVIS: Your Honor, just, before you have leave 09:13AM  
15 that section, the deposition notices that were issued to T. Rowe 09:13AM  
16 Price, JP Morgan, Morgan Stanley and Alibaba are still on the 09:13AM  
17 radar screen. They're set in October. And we're continuing to 09:13AM  
18 have meet-and-confers. 09:13AM

19 THE COURT: Okay. 09:13AM

20 Anything on Venture? 09:13AM

21 MR. LEVIN: No, sir. 09:13AM

22 THE COURT: Anything on profile forms? 09:13AM

23 MR. LEVIN: No, sir. 09:13AM

24 THE COURT: We've got a couple of motions. 09:13AM

25 Before we get to that, anything on pro se, Bob? 09:13AM

1 MR. JOHNSTON: Your Honor, I've provided to the Court 09:13AM  
2 my 31st curator status report. Let me make it very brief. 09:14AM

3 There has been a real level of activity pertaining 09:14AM  
4 to what I term late Knauf claims, people who did not know they 09:14AM  
5 had Knauf drywall in their property until recently, most all of 09:14AM  
6 them in mid-to-late 2014. 09:14AM

7 As the Court had informally indicated, I've had 09:14AM  
8 some discussions with Kerry Miller, who is here. And I think 09:14AM  
9 the only thing I'd like to say is that I hope to have more to 09:14AM  
10 report, or we do, at the next status conference. 09:14AM

11 THE COURT: Yeah. I hope we can work on that. We've 09:14AM  
12 got a good feel for the people now. We've got 20 some on, as I 09:14AM  
13 remember. And maybe we can do something with that. 09:14AM

14 I think, realistically, we have to recognize that, 09:14AM  
15 in this type of a case, it's going to be hard -- it's a 09:15AM  
16 difficult one because I can visualize some situations where 09:15AM  
17 people had no problems with drywall, no reason to believe they 09:15AM  
18 had any issues; and then, all of the sudden, they're getting 09:15AM  
19 ready to sell their house, they get it inspected, somebody says 09:15AM  
20 -- the inspector says that you've got Chinese Drywall. It's the 09:15AM  
21 first time that they knew or could have known or should have 09:15AM  
22 known. So you've got some issues at least whether or not 09:15AM  
23 prescription is applicable to those individuals and we've got to 09:15AM  
24 figure out a way. 09:15AM

25 MR. JOHNSTON: What you just described is a common 09:15AM

1 story that I get almost on a daily basis. 09:15AM

2 So we'll just keep informing the Court if there 09:15AM  
3 are any developments. 09:16AM

4 THE COURT: Thanks very much. 09:16AM

5 MR. BECNEL: Same problem. We get two or three a week. 09:16AM  
6 I guess, because we did ads with Sean Payton and all, they 09:16AM  
7 contact us. And we're trying to figure out what to do with 09:16AM  
8 them. 09:16AM

9 THE COURT: I don't know what you do with them. 09:16AM

10 Hopefully -- 09:16AM

11 MR. BECNEL: But we don't want to tell them -- to blow 09:16AM  
12 them off. But I think the Court needs to give us some guidance 09:16AM  
13 on how we're going to deal with it. 09:16AM

14 MR. DAVIS: My suggestion would be, as we've been doing 09:16AM  
15 in the PSC, Danny, if I'll get us a list. 09:16AM

16 THE COURT: Let's assemble a list, that's helpful. 09:16AM

17 MR. BECNEL: Here's five. 09:16AM

18 MR. DAVIS: If you would get us an master list, that 09:16AM  
19 would be helpful to identify the owner and the address. 09:16AM

20 MR. BECNEL: As you know, we had one last week, which 09:16AM  
21 they fixed immediately because I sent lawyers there and they got 09:16AM  
22 under the house. They fixed the bathtub and the lady got in it 09:16AM  
23 and fell -- they forgot to put the stuff on the pier of the 09:17AM  
24 house and she fell to the floor, to the ground. 09:17AM

25 But, Judge, I have a letter with some of them for 09:17AM

1 you.

09:17AM

2 THE COURT: Okay, good. Give us that.

09:17AM

3 MR. BECNEL: But they're all getting their houses  
4 inspected to sell them, and that's what's causing the problem.

09:17AM

09:17AM

5 THE COURT: Thanks for bringing that to my attention.

09:17AM

6 The motions, we had two motions set. One motion  
7 was to reconsider the Stigma claims. That's been moved to the  
8 next status conference.

09:17AM

09:17AM

09:17AM

9 So the only motion we have today is this motion  
10 for class certification.

09:17AM

09:17AM

11 MR. DAVIS: Yes, sir.

09:17AM

12 THE COURT: Let me hear from the parties on that.

09:17AM

13 MR. LEVIN: With regard to the class certification  
14 motion, Your Honor, we obviously have no opposition, formal  
15 opposition, because the attorneys for the defendant have not  
16 been authorized to speak on behalf of the Taishan defendants.  
17 And, the other defendants, the BMA and the CMA were defaulted  
18 and never had counsel in this court.

09:17AM

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09:18AM

19 The Omni 19 with regard to SASC is not ripe for  
20 class certification because it's still in the process of  
21 service.

09:18AM

09:18AM

09:18AM

22 We are, in connection with the motion itself,  
23 seeking a class only of active litigants. Therefore, notice  
24 would be made on an individual basis through the active  
25 litigants. All of them are in the series of Ameren complaints,

09:18AM

09:18AM

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09:18AM

1 they've intervened in those complaints. So we have a good list  
2 of them.

3 Obviously, liability has been -- there's been a  
4 default, so we have liability. And we view the class  
5 certification proceeding only as an assessment of damage  
6 proceeding and obviously the five years' work in this courtroom  
7 have given us the yardstick by which to measure the damages for  
8 the Taishan properties.

9 So we would seek certification of the class.  
10 We've provided the Court with proposed Findings of Fact and  
11 Conclusions of Law, which we would ask to be made part of the  
12 record.

13 Also, an index of the exhibits, which are the  
14 exhibits that are in the findings. And we will provide the  
15 Court with a disc of the actual exhibits themselves. We'd ask  
16 that that index be made a part of the record.

17 THE COURT: And, the disc, I know we've got two. We're  
18 going to have some exhibits that are under seal and some  
19 exhibits that are not under seal. So hopefully we'll have two  
20 discs in that regard.

21 MR. LEVIN: There was a proposed order with regard to  
22 the certification filed with our motion for class certification.  
23 We've revised the order to make it current.

24 And may I hand it to your deputy clerk?

25 THE COURT: Yes.

1                   And this proposed class does not seek to certify 09:20AM  
2 personal injury on the medical monitoring claims. The 09:20AM  
3 certification is only for property damage claims. 09:20AM

4                   MR. LEVIN: I will also hand up the index of the 09:20AM  
5 exhibits and, separately, the exhibits that are under seal. And 09:20AM  
6 I've been told the jump drives. But Lenny can tell you what 09:20AM  
7 that is, sir, because that's beyond my pay grade. 09:20AM

8                   We've also -- we will give you a conformed notice, 09:20AM  
9 Your Honor, because that will then mesh with the order that 09:21AM  
10 we've given you. The proposed notice is within the papers, the 09:21AM  
11 class papers. 09:21AM

12                   We've also given you a trial plan because it's our 09:21AM  
13 understanding that the Fifth Circuit requires that; although, I 09:21AM  
14 haven't seen it any other circuit, but we've cited the case. 09:21AM

15                   We'd ask that all of this be part of the record 09:21AM  
16 and be part of the class proceeding record for Your Honor's 09:21AM  
17 review. 09:21AM

18                   Upon certification, if Your Honor deems 09:21AM  
19 certification appropriate, we believe that we can notice the 09:21AM  
20 class in 40 days. And that, we don't believe that we have to 09:21AM  
21 wait 60 days for opt-outs, we can do it in 30 days because the 09:21AM  
22 bulk of the class are represented by counsel and they've been in 09:21AM  
23 litigation. There are no absent class members, sir. 09:21AM

24                   Does Your Honor have any questions? 09:22AM

25                   THE COURT: No, I don't. 09:22AM

1 Any opposition to this? 09:22AM

2 Nothing has been filed. But, as you all know, the 09:22AM  
3 Fifth Circuit is very difficult if not impossible to get a class 09:22AM  
4 certified in personal-injury-primarily cases. It's very 09:22AM  
5 fact-specific. There's not any commonality and there's no 09:22AM  
6 predominance, it doesn't work for class actions. But, in my 09:22AM  
7 experience, the property damage is another matter. Many of you 09:22AM  
8 all, Skip, Danny and Kerry, know from the Mobile Oil case, that 09:22AM  
9 you have been able to certify that because it was a yardstick 09:22AM  
10 approach and it can be done. So this looks like this fits right 09:22AM  
11 into that category, but I will be looking at it. 09:22AM

12 MR. LEVIN: Mr. Longer has reminded me to break down 09:23AM  
13 the 40 day period for the notice. So 10 days to get the notice 09:23AM  
14 out and 30 days to respond. 09:23AM

15 MR. DAVIS: Your Honor, just for a housekeeping issue, 09:23AM  
16 just so it's clear, on the index of exhibits, what we did in 09:23AM  
17 that index was identified various documents by exhibits that 09:23AM  
18 were previously used and by rec doc numbers. And what we're 09:23AM  
19 asking is that, rather than clutter up the record here with 09:23AM  
20 paper and things like that, that we be able to reference those 09:23AM  
21 and that those actual documents be part of this record. 09:23AM

22 THE COURT: Right. 09:23AM

23 MR. DAVIS: And they're identified in the exhibit, the 09:23AM  
24 index of exhibits. And the documents are attached on the jump 09:23AM  
25 drive. 09:23AM

1 Thank you. 09:23AM

2 THE COURT: Okay. I have this before me and I'll be 09:23AM  
3 dealing with it immediately, because we've got to move on this. 09:23AM

4 Taishan, I haven't heard anything in response to 09:23AM  
5 my injunction. I notice that several senators have been 09:23AM  
6 speaking on it in the states involved, the Florida senator and 09:24AM  
7 Louisiana senators, Virginia and a couple of others. State 09:24AM  
8 department is interested. I had heard that the ambassador to 09:24AM  
9 China has been advised and there's some discussions going on at 09:24AM  
10 that level. So we'll see what happens. 09:24AM

11 MR. LEVIN: And, Your Honor, our silence on these 09:24AM  
12 issues doesn't mean that we haven't been doing things. We'd 09:24AM  
13 just rather not discuss them at this point in time. 09:24AM

14 Your Honor, the last thing is the November 09:24AM  
15 hearing, sir. 09:24AM

16 THE COURT: The November hearing is November 25th. 09:24AM

17 Is that it? Anything from anybody? 09:24AM

18 Danny, you have something? 09:24AM

19 MR. BECNEL: I want to approach the bench just with 09:24AM  
20 Arnold, if you don't mind. 09:24AM

21 THE COURT REPORTER: Judge Fallon, off the record? 09:25AM

22 MR. BECNEL: Yeah. 09:25AM

23 (Discussion held off the record.) 09:25AM

24 THE COURT: Okay, folks, thanks very much. I do hope 09:27AM  
25 all of you on our team keep well and it's one of those issues 09:27AM

1 that we all have to be aware of. 09:27AM

2 Is there any other issues we haven't talked about? 09:27AM

3 Bill of costs? 09:27AM

4 MR. LEVIN: I believe that's going to be handled by the 09:27AM  
5 clerk's office. 09:27AM

6 CASE MANAGER: It's going to be handled up here, and 09:27AM  
7 the clerk's here. 09:27AM

8 THE COURT: The bill of costs, we've got the people 09:27AM  
9 coming in, and that will deal with it here. 09:27AM

10 MR. LEVIN: That's fine. 09:27AM

11 THE COURT: All right, folks, I'll see you next status 09:27AM  
12 conference. Court stands in recess. 09:28AM

13 (9:29 a.m., proceedings in recess.) 09:28AM

14  
15 CERTIFICATE

16  
17  
18 I, Susan A. Zielie, Official Court Reporter, do hereby  
19 certify that the foregoing transcript is correct.

20  
21 /S/ SUSAN A. ZIELIE, FCRR

22 \_\_\_\_\_  
23 Susan A. Zielie, FCRR  
24  
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