

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

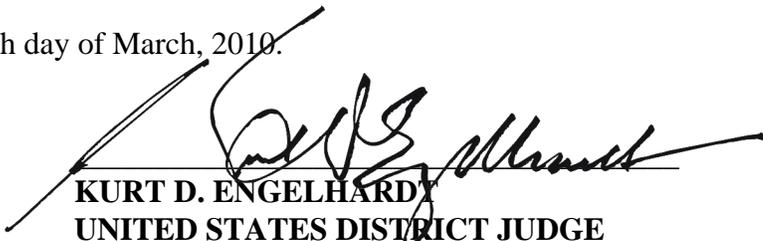
THIS DOCUMENT RELATES TO
Member Case No. 09-2977

ORDER AND REASONS

Before the Court is Shaw Environmental, Inc.'s Motion for Summary Judgment on Causation (Rec. Doc. 10929). After considering the memoranda of the parties and the applicable law, and on the showing made, the Court is not comfortable with granting summary judgment as to causation. There are genuine issues of material fact involving, *inter alia*, whether and to what extent Shaw and FEMA knew of the formaldehyde dangers in the EHUs, whether Plaintiff's EHU was blocked in compliance with the FEMA specifications, whether Shaw's actions contributed to an increase in formaldehyde emissions in Plaintiff's EHU. Accordingly,

IT IS ORDERED that **Shaw Environmental, Inc.'s Motion for Summary Judgment on Causation (Rec. Doc. 10929)** is **DENIED**.

New Orleans, Louisiana, this 5th day of March, 2010.


KURT D. ENGELHARDY
UNITED STATES DISTRICT JUDGE