

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

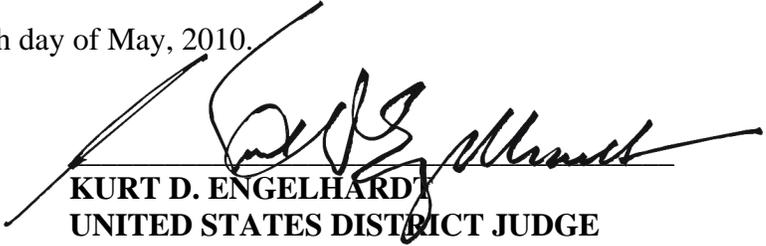
THIS DOCUMENT RELATES TO
Member Case No. 09-3251

ORDER AND REASONS

Before the Court is Plaintiff's Motion to Add One Additional Witness (Rec. Doc. 13291), which Recreation By Design, LLC ("RBD") has opposed. After considering the memoranda of the parties and the applicable law,

IT IS ORDERED that **Plaintiff's Motion to Add One Additional Witness (Rec. Doc. 13291)** is **GRANTED**. The Court notes Plaintiff's explanation that Mark Polk's name was inadvertently left off of her final witness list, and that Plaintiff made this request only *one* day after submitting her witness list. Further, Mr. Polk's deposition has already been taken in the *Wright* bellwether matter on September 22, 2009. Indeed, RBD participated in that deposition, which was videotaped. Plaintiff has indicated that she will limit Mr. Polk's trial testimony to video excerpts; thus, RBD may rely on objections made at the deposition, and/or select additional deposition passages to counter Plaintiff's video excerpts.

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


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE