

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

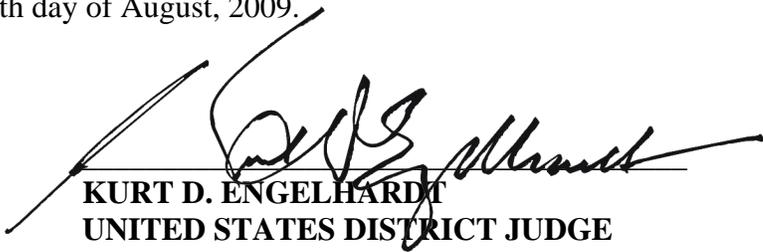
On August 5, 2009, the Court held a telephone status conference with the following counsel participating: Jerry Meunier, Raul Bencomo, and Tom Thagard. During the conference, the Court **ORDERED** as follows:

- (1) The Court's July 28, 2009 Order (Rec. Doc. 2361) is **VACATED**.
- (2) **The Joint Unopposed Motion to Extend the Non-Litigation Track During Pendency of Preemption Appeal (Rec. Doc. 2293) is GRANTED IN PART AND DENIED IN PART.** This motion is granted only to the extent that the non-litigation track is extended for a period of 60 days from the date of this Order.
- (3) On or before **Tuesday, January 19, 2010**, the parties shall agree on a bellwether plaintiff who corresponds to a specific manufactured home defendant (who formerly was on the non-litigation track) to participate in a sixth bellwether trial to begin on **Monday, October 18, 2010**. Only plaintiffs who have FEMA-ripe claims are

eligible to serve as bellwether trial plaintiffs. If, by that date, the parties cannot reach an agreement, they shall submit nominations for the sixth bellwether trial and objections to the selections they oppose.

- (4) On or before **Monday, February 1, 2010**, the parties shall submit a jointly-proposed scheduling order, which shall include dates tied to the Monday, October 18, 2010 trial date for the sixth bellwether trial.

New Orleans, Louisiana, this 5th day of August, 2009.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE