

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

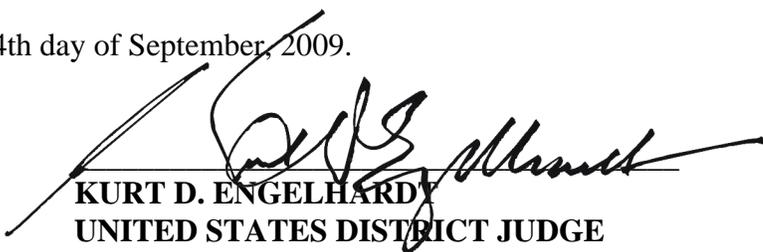
THIS DOCUMENT RELATES TO
Member Case No. 09-2892

ORDER AND REASONS

Before the Court is the Motion for Partial Summary Judgment (Rec. Doc. 2719), filed by Defendant Gulf Stream Coach, Inc. ("Gulf Stream"). In this motion, Gulf Stream requests that this Court issue a summary judgment on Plaintiff's inadequate warning claims under the Louisiana Products Liability Act ("LPLA"). After considering the memoranda of the parties and the applicable law, the Court concludes that there are genuine issues of material fact that exist relating to whether the Government was a sophisticated purchaser in this instance and as to whether Gulf Stream failed to warn of the formaldehyde issue. Accordingly,

IT IS ORDERED that the **Motion for Partial Summary Judgment (Rec. Doc. 2719)** is **DENIED**.

New Orleans, Louisiana, this 14th day of September, 2009.


KURT D. ENGELHARDY
UNITED STATES DISTRICT JUDGE