

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**IN RE: KATRINA CANAL BREACHES
CONSOLIDATED LITIGATION**

CIVIL ACTION

NO. 05-4182

PERTAINS TO: INSURANCE

SECTION "K"(2)

**Master Consolidated Class Action Complaint
(Rec. Doc. 3413)
Chehardy, Nos. 06-1672, 06-1673, and 06-1674**

ORDER

In light of this Court's Order and Reasons dated August 6, 2009 (Rec. Doc. 19205) in which the Motion to Sever by Insurer Defendants was granted, accordingly,

IT IS ORDERED as to any named Plaintiff in the Master Consolidated Class Action Complaint (Rec. Doc. 3413) and any named Plaintiff in the cases captioned *Chehardy, et al. v. State Farm, et al.*, Civ. A. Nos. 06-1672, 06-1673, and 06-1674, whose claims have not been settled and dismissed must, **no later than September 10, 2009**, file an individualized amended complaint for each Plaintiff or set of related Plaintiffs asserting claims against only the appropriate Insurer Defendant. The caption of the amended complaint must contain only the Plaintiff(s) and Defendant that are the subject of that specific claim. The amended complaint shall be accompanied by a copy of the original complaint or Notice of Removal and a copy of this Order. Counsel for Plaintiffs must also provide the Clerk of Court with a prepared summons for each amended complaint.

Upon filing the amended complaint, the Clerk will assign a new docket number and will allot the case at random among the Judges of the Court. All pleadings regarding that claim shall thereafter bear the new title, docket number, and section of the new case.

The new filed cases will proceed separately and will not be consolidated with the

captioned Katrina Canal Breaches Consolidated Litigation, Civ. A. No. 05-4182, so that they may proceed to resolution independently.

IT IS FURTHER ORDERED that Plaintiffs shall serve the new amended complaint, a copy of the original complaint or Notice of Removal, and a copy of this Order on opposing counsel.

Any substantive motion still pending in the original case must be refiled in the newly assigned case if it pertains to that case.

Any claims that are not timely brought before the Court by amended complaint as ordered herein will be dismissed without further notice. Specifically, by separate order on or after **September 14, 2009**, the Court will dismiss the cases identified in the caption above so that the newly filed severed cases may proceed.

New Orleans, Louisiana, this 10th day of August, 2009.



STANWOOD R. DUVAL, JR.
UNITED STATES DISTRICT JUDGE