

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

<b>IN RE: CHINESE-MANUFACTURED DRYWALL PRODUCTS LIABILITY LITIGATION</b>	<b>MDL NO. 2047 SECTION: L</b>
<b>THIS DOCUMENT RELATES TO:</b>  <i>Abel, et al. v. Taishan Gypsum Co., Ltd., f/k/a Shandong Taihe Dongxin Co., Ltd., et al</i> Case No. 11-cv-080 (E.D. La.)  <i>Almeroth, et al. v. Taishan Gypsum Co., Ltd f/k/a Shandong Taihe Dongxin Co., Ltd., et al</i> Case No. 12-cv-0498 (E.D. La.)  <i>Amato, et al. v. Liberty Mutual Insurance Company, Case No. 2:10-cv-00932 (E.D.La.)</i>  <i>Germano et al. v. Taishan Gypsum Co., Ltd. et al.</i> Case No. 2:09-cv-06687 (E.D. La.)  <i>Gross, et al. v. Knauf Gips, KG, et al</i> Case No. 09-cv-6690 (E.D. La.)  <i>Haya, et al. v. Taishan Gypsum Co., Ltd f/k/a Shandong Taihe Dongxin Co., Ltd, et al</i> Case No. 11-cv-1077 (E.D. La.)  <i>Wiltz, et al. v. Beijing New Building Materials Public Limited Co., et al</i> Case No. 10-cv-361 (E.D. La.)	<b>JUDGE FALLON MAG. JUDGE WILKINSON</b>

**ORDER: 1) ALLOWING THE PROPOSED ALLOCATION COMMITTEE TO POST THE PROPOSED ALLOCATION PLAN AND 2) EXTENDING THE OPT-OUT AND OBJECTION DEADLINE FOR THE FOUR CLASS SETTLEMENTS RELATING TO VIRGINIA AND CERTAIN OTHER REMAINING CLAIMS**

Upon consideration of the Motion of Settlement Class Counsel for an Order 1) Allowing the Proposed Allocation Committee to Post the Proposed Allocation Plan and 2) Extending the Opt-Out and Objection Deadline for Four Class Settlements *Relating to Virginia and Certain*

*Other Remaining Claims*, which were preliminarily approved by the Court on January 17, 2013, it is hereby,

ORDERED, ADJUDGED AND DECREED that:

1. Capitalized terms used in this Order shall have the same meaning as those defined in the Nationwide Insureds Settlement Agreement [Rec. Doc. No. 15969-5], Porter-Blaine/Venture Settlement Agreement [Rec. Doc. No. 15969-6], Tobin Trading and Installers Settlement Agreement [Rec. Doc. No. 15969-7], and Builders Mutual Insureds Settlement Agreement [Rec. Doc. No. 16478-3], which have been filed of record in this case.

2. The Motion of Settlement Class Counsel for Order: 1) Allowing the Proposed Allocation Committee to Post the Proposed Allocation Plan and 2) Extending the Opt-Out and Objection Deadline is GRANTED.

3. By no later than April 10, 2013, the Proposed Allocation Committee shall publish on the Court's website, <http://www.laed.uscourts.gov/Drywall/Drywall.htm>, its written recommendation as to: (i) a fair and equitable plan of allocation of the Settlement Funds; and (ii) the evidence that Class Members will need to provide as part of the Proof of Claim to submit a valid claim. Following final approval of the Virginia-based Settlements, the Court shall determine a fair and equitable allocation of Settlement Funds.

4. The Court's Preliminary Approval Order dated January 17, 2013 [Rec. Doc. No. 16516], preliminarily approving the Four Settlement Agreements *Relating to Virginia and Certain Other Remaining Claims* is amended in order to extend the Opt-Out/Objection Period as follows:

- a. The last day of the Opt-Out/Objection Period is extended from April 25, 2013 to May 16, 2013. Any class member wishing to opt out of or object to the Settlement must notify Class Counsel, Arnold Levin (Levin, Fishbein, Sedran & Berman, 510 Walnut St., Suite 500, Philadelphia, PA 19106), Russ M. Herman (Herman, Herman & Katz, LLP, 820 O'Keefe Avenue, New Orleans, LA 70113), and Richard Serpe (Law Offices of Richard Serpe, P.C., 580 East Main St., Suite 310, Norfolk, VA 23510), in writing, postmarked no later than May 16, 2013, in compliance with the relevant provisions of the Four Virginia-based Settlements.
- b. Any class member who has already objected to or opted out from the Settlement prior to the date of this Order may withdraw or modify said objection or opt-out notice prior to the end of the Opt-Out/Objection Period (*i.e.*, prior to May 16, 2013) by notifying in writing Class Counsel, Arnold Levin (Levin, Fishbein, Sedran & Berman, 510 Walnut St., Suite 500, Philadelphia, PA 19106), Russ M. Herman (Herman, Herman & Katz, LLP, 820 O'Keefe Avenue, New Orleans, LA 70113), and Richard Serpe (Law Offices of Richard Serpe, P.C., 580 East Main St., Suite 310, Norfolk, VA 23510), of their intention to withdraw or modify their objection or opt-out notice.
- c. The formal Fairness Hearing is adjourned until May 21st, in order to consider comments on and objections to the four proposed settlements and to consider whether (a) to approve thereafter the class settlements as fair, reasonable and adequate pursuant to Rule 23 of the Federal Rules of Civil

Procedure, (b) to finally certify the settlement classes, and (c) to enter the Order and Judgment provided in the Four Virginia-based Settlements.

- d. Notice of this Order, the adjournment of the formal Fairness Hearing and the extension of the Opt-Out/Objection Period shall be posted on the Court's Chinese Drywall MDL website and the website for the Four Virginia-based Settlements.

This 9th day of April, 2013, at New Orleans, Louisiana

  
ELDON E. FALLON  
United States District Court Judge