

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

In re: CHINESE-MANUFACTURED	*	MDL Docket No. 2047
DRYWALL PRODUCTS	*	
LIABILITY LITIGATION	*	SECTION L
	*	
	*	JUDGE FALLON
This document relates to	*	
Case No. 09-6690 ( <i>Gross</i> )	*	
	*	MAGISTRATE JUDGE WILKINSON
* * * * *		

**PRE-TRIAL ORDER NO. 1E**  
**(Regarding the stay of responsive pleadings in *Gross*)**

On November 24, 2009, the Court in Pretrial Order No. 1C lifted the stay on motion practice in MDL proceedings (Rec. Doc. No. 509). The Court excepted the *Gross, et al. v. Knauf Gips, KG, et al.*, case no. 09-6690 (E.D. La.) matter from the effect of Pretrial Order No. 1C (Rec. Doc. No. 507), leaving the stay on motion practice and responsive pleadings in place. On January 8, 2010, the Court in Pretrial Order No. 1D clarified that the stay in MDL proceedings was also lifted with regard to responsive pleadings (Rec. Doc. 718), but the Order was silent with regard to the state of the stay in the *Gross* matter. Thus, the Court finds that it is necessary to clarify the status of motion practice and responsive pleadings in *Gross*.

The purpose of the stay in *Gross* was to allow counsel to focus on organization and coordination in the litigation. The case has now reached a stage where an organizational structure should be in place. Accordingly, IT IS ORDERED that the stay in *Gross* is lifted with regard to motion practice and responsive pleadings. Those defendants who have been served as of this date shall have twenty (20) days from entry of this Order to serve motions and/or responsive pleadings.

Any responsive motion that is properly filed in the MDL will be continued without date, unless a motion is specifically excepted from the continuance by the Court. The Court will

organize and prioritize the continued motions and in due course, set the motions for hearing. No responses to continued motions are due until two weeks before the hearing date set by the Court.

Any questions regarding the lifting of the stay in any case and/or proper filing techniques shall be directed to a party's respective Liaison Counsel.

New Orleans, Louisiana, this 12th day of February, 2010.

A handwritten signature in cursive script that reads "Eldon E. Fallon". The signature is written in black ink and is positioned above a horizontal line.

ELDON E. FALLON  
UNITED STATES DISTRICT JUDGE