

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: CHINESE-MANUFACTURED DRYWALL)	MDL No. 2047
PRODUCTS LIABILITY LITIGATION)	
)	SECTION: L
)	
THIS DOCUMENT RELATES TO ALL CASES)	JUDGE FALLON
)	MAG. JUDGE WILKINSON
)	

PRE-TRIAL ORDER NO. 1G
(Response Times for Complaints)

In Pre-Trial Order Nos. 1C, 1D, and 1E, the Court lifted the stay on motion practice in the MDL proceedings and clarified the status of motion practice and stay of responsive pleadings in *Gross, et al. v. Knauf Gips, KG, et al.*, No. 09-6690 (R. Docs. 509, 718 and 1078). Since that time, plaintiffs have filed other large Omnibus complaints and numerous individual actions. In order to clarify the deadline dates and to alleviate the need for defendants to move for extensions of time in which to respond, the Court adopted Pre-Trial Order No. 1F, which sets forth certain deadlines applicable to all cases and requires that counsel shall enter their appearance on behalf of their client(s) within twenty (20) days after service of a Complaint on a defendant; that each plaintiff shall submit a plaintiff profile form within forty (40) days of filing a complaint; and that defendants shall respond to the appropriate profile form within forty (40) days after service of a Complaint on a defendant.

Plaintiffs have now filed amended Omnibus complaints in the *Gross, Payton, Wiltz* and *Amato* actions, and plan to further amend the Omnibus complaints in the future. In order to conserve judicial, attorney and client resources and to avoid filing responses to complaints that will be amended, the Court hereby enters the following Order that applies to the five Omnibus

complaints collectively and to all other cases in this MDL proceeding which shall be held in abeyance until such time as the suspension described in this Order is terminated:

IT IS ORDERED that counsel shall enter their appearance on behalf of their client(s) within twenty (20) days after service of a Complaint on a defendant.

IT IS FURTHER ORDERED that each plaintiff shall submit a plaintiff profile form within forty (40) days of filing a complaint.

IT IS FURTHER ORDERED that defendants shall respond to the appropriate profile form within forty (40) days after service of a Complaint on a defendant. Once completed, the profile form is to be provided to Liaison Counsel. Profile forms are not filed with the Court and are not served on Lexis Nexis File & Serve.

IT IS FURTHER ORDERED the deadlines for responding to any of the Omnibus complaints be and they hereby are suspended.

IT IS FURTHER ORDERED that, once all amendments to the Omnibus complaints are completed, the PSC will file a Notice of Completion of Amendments to Omni Complaints. Thereafter, counsel will be required to file responsive pleadings to any applicable original and amended complaints within thirty (30) days after filing and service of the Notice.

IT IS FURTHER ORDERED that this suspension of the deadlines for responding to complaints shall be equally applicable to *all other cases in this MDL proceeding*. Accordingly, after the PSC files its Notice of Completion of Amendments to Omni Complaints, counsel in all other cases in the MDL will also be required to file responsive pleadings to any applicable original and amended complaints within thirty (30) days after filing and service of the Notice.

Counsel are directed to the Court's website (www.laed.uscourts.gov/Drywall) to review all Pre-Trial Orders and for the answers to Frequently Asked Questions (FAQS). Additionally, any

questions regarding the suspension of response deadlines and/or proper filing techniques should be directed to a party's respective Liaison Counsel. Liaison Counsel can be reached as follows:

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NEW ORLEANS, LOUISIANA, this 27th day of May, 2010.

A handwritten signature in black ink, reading "Eldon E. Fallon". The signature is written in a cursive style with a horizontal line extending to the right from the end of the name.

ELDON E. FALLON
UNITED STATES DISTRICT JUDGE