

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: CHINESE-MANUFACTURED
DRYWALL PRODUCTS
LIABILITY LITIGATION

CIVIL DOCKET NO. 09-MD-2047 "L"
NEW ORLEANS, LOUISIANA
TUESDAY, JANUARY 23, 2018, AT 10:00 A.M.

THIS DOCUMENT RELATES TO
ALL CASES

TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS
HEARD BEFORE THE HONORABLE ELDON E. FALLON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFFS'
LIAISON COUNSEL:

HERMAN HERMAN KATZ
BY: RUSS M. HERMAN, ESQUIRE
LEONARD A. DAVIS, ESQUIRE
820 O'KEEFE AVENUE
NEW ORLEANS, LA 70113

LEVIN, FISHBEIN, SEDRAN & BERMAN
BY: ARNOLD LEVIN, ESQUIRE
SANDRA L. DUGGAN, ESQUIRE
510 WALNUT STREET, SUITE 500
PHILADELPHIA, PA 19106

1 APPEARANCES CONTINUED:

2

3

GAINSBURGH BENJAMIN DAVID
MEUNIER AND WARSHAUER
BY: GERALD E. MEUNIER, ESQUIRE
2800 ENERGY CENTRE
1100 POYDRAS STREET, SUITE 2800
NEW ORLEANS, LA 70163

6

7

8 FOR THE STATE/FEDERAL
COORDINATION
COMMITTEE:

LAW OFFICES OF RICHARD J. SERPE
BY: RICHARD SERPE, ESQUIRE
580 EAST MAIN STREET, SUITE 310
NORFOLK, VA 23510

10

11

12 FOR TAISHAN GYPSUM CO.,
13 LTD, AND TAI'AN TAISHAN
PLASTERBOARD CO., LTD.:

ALSTON & BIRD
BY: CHRISTINA H. EIKHOFF, ESQUIRE
ONE ATLANTIC CENTER
1201 WEST PEACHTREE STREET
ATLANTA, GA 30309

14

15

16

17

FOR THE KNAUF
LIAISON COUNSEL:

BAKER DONELSON BEARMAN
CALDWELL & BERKOWITZ
BY: DANIEL S. DYSART, ESQUIRE
201 ST. CHARLES AVENUE, SUITE 3600
NEW ORLEANS, LA 70170

18

19

20

21

22 FOR THE TAISHAN, BNMB
ENTITIES AND CNBM ENTITIES
LIAISON COUNSEL:

PHELPS DUNBAR
BY: HARRY ROSENBERG, ESQUIRE
365 CANAL STREET, SUITE 2000
NEW ORLEANS, LA 70130

23

24

25

1 APPEARANCES CONTINUED:

2

3 CHINA NATIONAL BUILDING
4 MATERIALS GROUP CORPORATION
5 AND CHINA NATIONAL BUILDING
6 MATERIALS COMPANY LIMITED

7 (COLLECTIVELY, "CNBM") :

ORRICK HERRINGTON & SUTCLIFFE
BY: JAMES L. STENDEL, ESQUIRE
51 WEST 52ND STREET
NEW YORK, NY 10019

8

9

ORRICK HERRINGTON & SUTCLIFFE
BY: L. CHRISTOPHER VEJNOSKA, ESQ.
THE ORRICK BUILDING
405 HOWARD STREET
SAN FRANCISCO, CA 94105

10

11

12

13

GORDON, ARATA, MCCOLLAM,
DUPLANTIS & EAGAN
BY: DONNA P. CURRAULT, ESQUIRE
ALEX B. ROTHENBERG, ESQUIRE
201 ST. CHARLES AVENUE, 40TH FLOOR
NEW ORLEANS, LA 70170

14

15

16

17 ALSO PRESENT:

JACOB WOODY, BROWNGREER

18

19 OFFICIAL COURT REPORTER:

CATHY PEPPER, CRR, RMR, CCR
CERTIFIED REALTIME REPORTER
CERTIFIED MERIT REPORTER
500 POYDRAS STREET, ROOM B406
NEW ORLEANS, LA 70130
(504) 589-7779
Cathy_Pepper@laed.uscourts.gov

20

21

22

23

24

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY. TRANSCRIPT
PRODUCED BY COMPUTER.

25

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PAGE

KNAUF REMEDIATION PROGRAM.....	6
TAISHAN, BNBM, CNBM DEFENDANTS.....	8
PENDING SETTLEMENT APPROVAL.....	10
VENTURE SUPPLY/PORTER BLAINE CLASS.....	10
NEXT STATUS CONFERENCE IS FEBRUARY 21, 2018.....	12

P-R-O-C-E-E-D-I-N-G-S

TUESDAY, JANUARY 23, 2018

M O R N I N G S E S S I O N

(COURT CALLED TO ORDER)

1
2
3
4
5
6
7 THE DEPUTY CLERK: All rise.

8 THE COURT: Be seated, please. Good morning, ladies
9 and gentlemen.

10 VOICES: Good morning, Your Honor.

11 THE COURT: Let's call the case, please.

12 THE DEPUTY CLERK: MDL 2047, In re:
13 Chinese-Manufactured Drywall Products Liability Litigation.

14 THE COURT: Liaison counsel, please make their
15 appearance.

16 MR. HERMAN: Good morning, Judge Fallon. May it please
17 the Court, Russ Herman for plaintiffs.

18 MR. ROSENBERG: Good morning, Your Honor.
19 Harry Rosenberg on behalf of CNBM, BNBK and Taishan, as liaison
20 counsel.

21 MR. DYSART: Good morning, Your Honor. Danny Dysart on
22 behalf of the Knauf defendants.

23 THE COURT: We're here today for our monthly status
24 meeting. I'll hear from the parties. I met with them
25 previously and received from them a proposed agenda. We'll

1 take it in the order that's proposed.

2 MR. HERMAN: Yes, Your Honor. Thank you, again, this
3 morning. Russ Herman for plaintiffs.

4 The first item on the full status report that
5 will be recorded is the Knauf remediation program. BrownGreer,
6 Jake is here to give a report, which I understand will be very
7 brief. I also understand someone from Kerry Miller's office is
8 here.

9 MR. WOODY: Good morning, Your Honor. Jake Woody, from
10 BrownGreer.

11 I have an update on the settlement program. We
12 have completed the calculations necessary for us to issue the
13 remaining funds from the Global, Banner, InEx repair and
14 relocation program.

15 We will issue those by check over the next month.
16 Hopefully we'll be done sending the checks before the next
17 status conference.

18 We will send checks to attorneys, counsel of
19 record for each claimant, and we'll send them directly to
20 *Pro Se* claimants.

21 The amount that we have to distribute is
22 approximately \$7.4 million. Each claimant will receive a pro
23 rata share based on their initial payment, which is based on
24 the square footage of their home. We will have that done
25 quickly.

1 We also are going to issue 1099 tax forms for
2 payments that we issued in 2017. We will issue those before
3 the end of this month. Then, of course, next year, we'll issue
4 1099s for the holdback payments that we're about to issue as
5 well.

6 THE COURT: Does that complete, then, the Knauf issues,
7 Knauf settlement?

8 MR. WOODY: Yes, I believe so. I know that
9 Danny Dysart is here. I don't know if he has anything to say
10 on the remediation program, which is also in its wrapping up
11 stages.

12 THE COURT: But from your standpoint, then, the Knauf
13 matter is over?

14 MR. WOODY: We do have the other loss fund remaining to
15 deal with, which we will turn to after the GBI fund; but, the
16 hard part was doing the holdback calculation, so now that
17 that's done, the dominoes should fall pretty quickly.

18 MR. DYSART: Again, Danny Dysart on behalf of the Knauf
19 defendants.

20 Your Honor, we're wrapping the program in terms
21 of the Option 1 claims. I believe there is one property left
22 that Moss is remediating. They hope to complete that sometime
23 at the end of the first quarter of this year.

24 There is also a handful of Option 2 claims.
25 These are self-remediation claims. We would remind claimants

1 and counsel to try to move those forward.

2 The Knauf defendants anticipate filing motions in
3 the future, if they can't be completed, to either switch those
4 to Option 3 cash-outs, or to extinguish those claims, if the
5 claimants have lost it due to foreclosure or other matters.

6 THE COURT: How many of those are there?

7 MR. GEARY: There is about 30 claimants, I believe, but
8 50 claims of the Option 2s. There is a big chunk of them are
9 all one claimant. It's a condominium that Jake has been
10 working with plaintiffs' counsel in trying to move that one
11 forward.

12 THE COURT: All right. Thank you.

13 MR. HERMAN: Your Honor, the next issue relates to
14 Roman numeral VII, titled Taishan, BNBM, CNBM defendants.

15 The defendants' counsel have worked diligently,
16 along with the PSC, in reaching a new PTO 11A, which then would
17 require all plaintiffs in negotiated profile forms to attest to
18 and to list all of the necessary information for defendants to
19 evaluate the proposed claims, and would enable the Plaintiffs'
20 Steering Committee, on the other hand, to reach validation of
21 the claims, and to require plaintiffs to timely return those
22 plaintiff profile forms accurately.

23 As I understand it, PTO 11A may need an
24 additional modification, but it should be submitted to
25 Your Honor within a week at most. Both parties at that time --

1 all parties will join in a request that Your Honor consider
2 signing PTO 11A.

3 Chrissy is here for Taishan, and she may have
4 something.

5 MS. EIKHOFF: Yes, Your Honor. I agree with Mr. Herman
6 that we have reached agreement on a supplemental Plaintiff
7 Profile Form, and we have also reached agreement on a proposed
8 PTO 11A for Your Honor to enter.

9 We have submitted that already to the Court,
10 through the law clerk. I don't think there are any more
11 changes to it, so I think it is ready for the Court to enter
12 upon the Court's pleasure.

13 THE COURT: Okay. I will take care of it.

14 As I mentioned to the parties in chambers, I'm
15 just concerned that we're bogged down, at least in the Taishan
16 grouping claims. It's been ten years or so since I've had this
17 case. It's not like a situation where a person is injured and
18 they are treated, and they've got lost wages or whatever it is,
19 and then they are back at work and whatever, and you're just
20 looking at what the damages were for that period of time.

21 We're dealing with houses that people are either
22 living in, or they are sitting there vacant. After a period of
23 time, it becomes increasingly more difficult to deal with them.
24 I mean, we have other hurricanes coming through. We have other
25 deteriorations. So it concerns me that we still have this

1 case.

2 I've got to deal with it in some way to justify
3 my position, my continued working on the case. I don't think
4 MDLs ought to be a black hole that your cases are in, and then
5 they just stay here.

6 So I mentioned that to the parties. I just have
7 to come up with some sort of program of dealing with the cases.
8 We can't just let them sit.

9 It looks like that, at least from the Taishan
10 standpoint -- we got rid of the Knauf cases, but the other
11 cases, we're into a decade now, and we're still dealing with
12 some issues on jurisdiction. That's a problem.

13 But I got some input from the parties, and I'll
14 take all of that into consideration.

15 Let's go to the next area.

16 MR. HERMAN: May it please the Court, with reference to
17 PTO 11A, I should make it clear, as was discussed with counsel,
18 that this relates to the Hamerin (spelled phonetically) case.

19 THE COURT: Right.

20 MR. HERMAN: Your Honor, the next section in the status
21 report deals with a pending settlement approval and some
22 recommendations of the Court. Mr. Serpe is here to discuss
23 that with the Court.

24 MR. SERPE: Good morning, Your Honor. Richard Serpe,
25 as class counsel for the Venture Supply/Porter Blaine class,

1 which, as Your Honor knows, was approved back in July of '13.

2 In addition to a cash component of that class
3 action settlement, there was an assignment of a default
4 judgment which Venture Supply had obtained against Taishan in
5 the Virginia state court consolidated action before Judge Hall,
6 the *Allen* case.

7 That assignment was vigorously litigated among
8 the parties, and a potential settlement was reached, an
9 agreement was reached to liquidate that default judgment. We
10 have been working with counsel to finalize the papers. We
11 anticipate having a final set before Your Honor this week, with
12 executed signatures from the class counsel and Plaintiffs'
13 Steering Committee.

14 We'll await Taishan's signature, and then hope to
15 present the documents, which would include provisions for
16 notice to the people from that class with respect to the
17 additional compensation that they would be receiving as part
18 and parcel of the original Venture Supply/Porter Blaine class.

19 THE COURT: As I mentioned to counsel in chambers, that
20 we need to be careful that the people who are going to be
21 receiving additional compensation is limited to those
22 individuals who have already received some compensation, and
23 that the definition of the class will be changed to reflect
24 that.

25 MR. SERPE: We appreciate Your Honor's input, and we'll

1 make sure that that is reflected in the papers. Thank you,
2 Your Honor.

3 THE COURT: Thank you very much.

4 I received the material from the parties. It was
5 both in Chinese and in English. My law clerk says the Chinese
6 was accurate, it just wasn't traditional Chinese. It was when
7 Mao came aboard, he changed the language a bit and made it a
8 somewhat different type. But we were able to get through it
9 and understand it.

10 MR. HERMAN: Your Honor, Judge Fallon, that actually
11 concludes our issues on the status conference report.

12 For those that may be on the phone, the status
13 conference report in full will be posted as usual. I believe
14 there may be an argument after the status conference.

15 THE COURT: There is a motion that the Court will take
16 up.

17 MR. HERMAN: Your Honor has selected --

18 THE COURT: Right, February 21 at 2:30 is the next one.

19 MR. ROSENBERG: If it please the Court, I think
20 February 21st is at the normal time, at 9:00 a.m.

21 THE COURT: March 20th is at --

22 MR. ROSENBERG: Three o'clock.

23 THE COURT: -- 3:00, okay.

24 MR. HERMAN: I have noted a 2:30 preconference with
25 Your Honor.

1 THE COURT: On March 20th, right?

2 MR. ROSENBERG: Yes, Judge.

3 MR. HERMAN: Thank you, Judge. That concludes the
4 status.

5 THE COURT: All right. Thank you very much.

6 THE DEPUTY CLERK: Could we take just five minutes to
7 get the call back on, Judge.

8 THE COURT: We've lost the AT&T call for the motion, so
9 we'll take a five-minute break, and I'll come back on the
10 motion.

11 The Court is in recess.

12 THE DEPUTY CLERK: All rise.

13 (WHEREUPON, at 10:10 a.m., the proceedings were
14 concluded.)

15 * * *

16 REPORTER'S CERTIFICATE

17 I, Cathy Pepper, Certified Realtime Reporter, Registered
18 Merit Reporter, Certified Court Reporter in and for the State
19 of Louisiana, Official Court Reporter for the United States
20 District Court, Eastern District of Louisiana, do hereby
21 certify that the foregoing is a true and correct transcript to
the best of my ability and understanding from the record of the
proceedings in the above-entitled and numbered matter.

22 s/Cathy Pepper
23 Cathy Pepper, CRR, RMR, CCR
24 Certified Realtime Reporter
25 Registered Merit Reporter
Official Court Reporter
United States District Court
Cathy_Pepper@laed.uscourts.gov

	40TH [1] - 3:14	Allen [1] - 11:6 ALSO [1] - 3:17 ALSTON [1] - 2:13 amount [1] - 6:21 AND [4] - 2:3, 2:12, 2:22, 3:4 anticipate [2] - 8:2, 11:11 appearance [1] - 5:15 APPEARANCES [3] - 1:15, 2:1, 3:1 appreciate [1] - 11:25 approval [1] - 10:21 APPROVAL [1] - 4:7 approved [1] - 11:1 ARATA [1] - 3:12 area [1] - 10:15 argument [1] - 12:14 ARNOLD [1] - 1:22 assignment [2] - 11:3, 11:7 AT [1] - 1:7 AT&T [1] - 13:8 ATLANTA [1] - 2:15 ATLANTIC [1] - 2:14 attest [1] - 8:17 attorneys [1] - 6:18 AVENUE [3] - 1:19, 2:19, 3:14 await [1] - 11:14	break [1] - 13:9 brief [1] - 6:7 BROWNGREER [1] - 3:17 BrownGreer [2] - 6:5, 6:10 BUILDING [3] - 3:3, 3:4, 3:9 BY [12] - 1:18, 1:22, 2:4, 2:9, 2:13, 2:18, 2:23, 3:5, 3:9, 3:13, 3:23, 3:24	12:5, 12:6 CHINESE-MANUFACTURED [1] - 1:4 Chinese-Manufactured [1] - 5:13 Chrissy [1] - 9:3 CHRISTINA [1] - 2:13 CHRISTOPHER [1] - 3:9 chunk [1] - 8:8 CIVIL [1] - 1:6 claimant [3] - 6:19, 6:22, 8:9 claimants [4] - 6:20, 7:25, 8:5, 8:7 claims [8] - 7:21, 7:24, 7:25, 8:4, 8:8, 8:19, 8:21, 9:16 class [7] - 10:25, 11:2, 11:12, 11:16, 11:18, 11:23 CLASS [1] - 4:8 clear [1] - 10:17 CLERK [4] - 5:7, 5:12, 13:6, 13:12 clerk [2] - 9:10, 12:5 CNBM [4] - 2:22, 4:6, 5:19, 8:14 CO [2] - 2:12, 2:13 COLLECTIVELY [1] - 3:5 coming [1] - 9:24 COMMITTEE [1] - 2:8 Committee [2] - 8:20, 11:13 COMPANY [1] - 3:4 compensation [3] - 11:17, 11:21, 11:22 complete [2] - 7:6, 7:22 completed [2] - 6:12, 8:3 component [1] - 11:2 COMPUTER [1] - 3:24 concerned [1] - 9:15 concerns [1] - 9:25 concluded [1] - 13:14 concludes [2] - 12:11, 13:3 condominium [1] - 8:9 conference [4] - 6:17, 12:11, 12:13, 12:14 CONFERENCE [2] - 1:12, 4:9 consider [1] - 9:1 consideration [1] -
'13 [1] - 11:1	5		C	
0	50 [1] - 8:8 500 [2] - 1:23, 3:20 504 [1] - 3:21 51 [1] - 3:6 510 [1] - 1:23 52ND [1] - 3:6 580 [1] - 2:9 589-7779 [1] - 3:21		CA [1] - 3:10 calculation [1] - 7:16 calculations [1] - 6:12 CALDWELL [1] - 2:18 CALLED [1] - 5:4 CANAL [1] - 2:23 care [1] - 9:13 careful [1] - 11:20 case [6] - 5:11, 9:17, 10:1, 10:3, 10:18, 11:6 cases [4] - 10:4, 10:7, 10:10, 10:11 CASES [1] - 1:9 cash [2] - 8:4, 11:2 cash-outs [1] - 8:4 CATHY [1] - 3:19 Cathy [2] - 13:17, 13:22 Cathy_Pepper@laed.uscourts.gov [2] - 3:22, 13:24 CCR [2] - 3:19, 13:22 CENTER [1] - 2:14 CENTRE [1] - 2:4 CERTIFICATE [1] - 13:16 CERTIFIED [2] - 3:19, 3:20 Certified [3] - 13:17, 13:18, 13:22 certify [1] - 13:19 chambers [2] - 9:14, 11:19 changed [2] - 11:23, 12:7 changes [1] - 9:11 CHARLES [2] - 2:19, 3:14 check [1] - 6:15 checks [2] - 6:16, 6:18 CHINA [2] - 3:3, 3:4 CHINESE [1] - 1:4 Chinese [4] - 5:13,	
09-MD-2047 [1] - 1:6	6			
1	6 [1] - 4:5			
1 [1] - 7:21 10 [2] - 4:7, 4:8 10019 [1] - 3:6 1099 [1] - 7:1 1099s [1] - 7:4 10:00 [1] - 1:7 10:10 [1] - 13:13 1100 [1] - 2:5 11A [5] - 8:16, 8:23, 9:2, 9:8, 10:17 12 [1] - 4:9 1201 [1] - 2:14 19106 [1] - 1:23	7			
	7.4 [1] - 6:22 70113 [1] - 1:19 70130 [2] - 2:24, 3:21 70163 [1] - 2:5 70170 [2] - 2:19, 3:15			
2	8			
2 [1] - 7:24 2000 [1] - 2:23 201 [2] - 2:19, 3:14 2017 [1] - 7:2 2018 [2] - 1:7, 5:2 2018 [1] - 4:9 2047 [1] - 5:12 20th [2] - 12:21, 13:1 21 [2] - 4:9, 12:18 21st [1] - 12:20 23 [2] - 1:7, 5:2 23510 [1] - 2:10 2800 [2] - 2:4, 2:5 2:30 [2] - 12:18, 12:24 2s [1] - 8:8	8 [1] - 4:6 820 [1] - 1:19			
	9			
3	94105 [1] - 3:10 9:00 [1] - 12:20			
3 [1] - 8:4 30 [1] - 8:7 30309 [1] - 2:15 310 [1] - 2:9 3600 [1] - 2:19 365 [1] - 2:23 3:00 [1] - 12:23	A	B		
	A.M [1] - 1:7 a.m [2] - 12:20, 13:13 ability [1] - 13:20 able [1] - 12:8 aboard [1] - 12:7 above-entitled [1] - 13:20 accurate [1] - 12:6 accurately [1] - 8:22 action [2] - 11:3, 11:5 addition [1] - 11:2 additional [3] - 8:24, 11:17, 11:21 agenda [1] - 5:25 agree [1] - 9:5 agreement [3] - 9:6, 9:7, 11:9 ALEX [1] - 3:14 ALL [1] - 1:9	B406 [1] - 3:20 BAKER [1] - 2:17 Banner [1] - 6:13 based [2] - 6:23 BEARMAN [1] - 2:17 becomes [1] - 9:23 BEFORE [1] - 1:12 behalf [3] - 5:19, 5:22, 7:18 BENJAMIN [1] - 2:3 BERKOWITZ [1] - 2:18 BERMAN [1] - 1:21 best [1] - 13:20 big [1] - 8:8 BIRD [1] - 2:13 bit [1] - 12:7 black [1] - 10:4 BLAINE [1] - 4:8 Blaine [2] - 10:25, 11:18 BNBM [3] - 4:6, 5:19, 8:14 BNMB [1] - 2:21 bogged [1] - 9:15		
4				
405 [1] - 3:10				

<p>10:14 consolidated [1] - 11:5 CONTINUED [2] - 2:1, 3:1 continued [1] - 10:3 COORDINATION [1] - 2:8 CORPORATION [1] - 3:3 correct [1] - 13:19 counsel [11] - 5:14, 5:20, 6:18, 8:1, 8:10, 8:15, 10:17, 10:25, 11:10, 11:12, 11:19 COUNSEL [3] - 1:17, 2:17, 2:22 course [1] - 7:3 court [1] - 11:5 Court [14] - 5:17, 9:9, 9:11, 10:16, 10:22, 10:23, 12:15, 12:19, 13:11, 13:18, 13:18, 13:19, 13:23, 13:24 COURT [22] - 1:1, 3:19, 5:4, 5:8, 5:11, 5:14, 5:23, 7:6, 7:12, 8:6, 8:12, 9:13, 10:19, 11:19, 12:3, 12:15, 12:18, 12:21, 12:23, 13:1, 13:5, 13:8 Court's [1] - 9:12 CRR [2] - 3:19, 13:22 CURRAULT [1] - 3:13</p>	<p>deteriorations [1] - 9:25 different [1] - 12:8 difficult [1] - 9:23 diligently [1] - 8:15 directly [1] - 6:19 discuss [1] - 10:22 discussed [1] - 10:17 distribute [1] - 6:21 DISTRICT [3] - 1:1, 1:1, 1:13 District [3] - 13:19, 13:24 DOCKET [1] - 1:6 DOCUMENT [1] - 1:9 documents [1] - 11:15 dominoes [1] - 7:17 done [3] - 6:16, 6:24, 7:17 DONELSON [1] - 2:17 DONNA [1] - 3:13 down [1] - 9:15 DRYWALL [1] - 1:5 Drywall [1] - 5:13 due [1] - 8:5 DUGGAN [1] - 1:22 DUNBAR [1] - 2:22 DUPLANTIS [1] - 3:13 Dysart [3] - 5:21, 7:9, 7:18 DYSART [3] - 2:18, 5:21, 7:18</p>	<p style="text-align: center;">F</p> <p>fall [1] - 7:17 FALLON [1] - 1:12 Fallon [2] - 5:16, 12:10 February [2] - 12:18, 12:20 FEBRUARY [1] - 4:9 filing [1] - 8:2 final [1] - 11:11 finalize [1] - 11:10 first [2] - 6:4, 7:23 FISHBEIN [1] - 1:21 five [2] - 13:6, 13:9 five-minute [1] - 13:9 FLOOR [1] - 3:14 footage [1] - 6:24 FOR [5] - 1:17, 2:7, 2:12, 2:17, 2:21 foreclosure [1] - 8:5 foregoing [1] - 13:19 Form [1] - 9:7 forms [3] - 7:1, 8:17, 8:22 forward [2] - 8:1, 8:11 FRANCISCO [1] - 3:10 full [2] - 6:4, 12:13 fund [2] - 7:14, 7:15 funds [1] - 6:13 future [1] - 8:3</p>	<p>HEARD [1] - 1:12 hereby [1] - 13:19 Herman [3] - 5:17, 6:3, 9:5 HERMAN [12] - 1:17, 1:18, 5:16, 6:2, 8:13, 10:16, 10:20, 12:10, 12:17, 12:24, 13:3 HERRINGTON [2] - 3:5, 3:8 holdback [2] - 7:4, 7:16 hole [1] - 10:4 home [1] - 6:24 Honor [19] - 5:10, 5:18, 5:21, 6:2, 6:9, 7:20, 8:13, 8:25, 9:1, 9:5, 9:8, 10:20, 10:24, 11:1, 11:11, 12:2, 12:10, 12:17, 12:25 Honor's [1] - 11:25 HONORABLE [1] - 1:12 hope [2] - 7:22, 11:14 hopefully [1] - 6:16 houses [1] - 9:21 HOWARD [1] - 3:10 hurricanes [1] - 9:24</p>	<p>join [1] - 9:1 Judge [6] - 5:16, 11:5, 12:10, 13:2, 13:3, 13:7 JUDGE [1] - 1:13 judgment [2] - 11:4, 11:9 July [1] - 11:1 jurisdiction [1] - 10:12 justify [1] - 10:2</p>
D	E	G	I	K
<p>damages [1] - 9:20 DANIEL [1] - 2:18 Danny [3] - 5:21, 7:9, 7:18 DAVID [1] - 2:3 DAVIS [1] - 1:18 deal [3] - 7:15, 9:23, 10:2 dealing [3] - 9:21, 10:7, 10:11 deals [1] - 10:21 decade [1] - 10:11 default [2] - 11:3, 11:9 defendants [5] - 5:22, 7:19, 8:2, 8:14, 8:18 defendants' [1] - 8:15 DEFENDANTS..... [1] - 4:6 definition [1] - 11:23 DEPUTY [4] - 5:7, 5:12, 13:6, 13:12</p>	<p>EAGAN [1] - 3:13 EAST [1] - 2:9 Eastern [1] - 13:19 EASTERN [1] - 1:1 EIKHOFF [2] - 2:13, 9:5 either [2] - 8:3, 9:21 ELDON [1] - 1:12 enable [1] - 8:19 end [2] - 7:3, 7:23 ENERGY [1] - 2:4 English [1] - 12:5 enter [2] - 9:8, 9:11 ENTITIES [2] - 2:22 entitled [1] - 13:20 ESQ [1] - 3:9 ESQUIRE [12] - 1:18, 1:18, 1:22, 1:22, 2:4, 2:9, 2:13, 2:18, 2:23, 3:5, 3:13, 3:14 evaluate [1] - 8:19 executed [1] - 11:12 extinguish [1] - 8:4</p>	<p>GA [1] - 2:15 GAINSBURGH [1] - 2:3 GBI [1] - 7:15 GEARY [1] - 8:7 gentlemen [1] - 5:9 GERALD [1] - 2:4 Global [1] - 6:13 GORDON [1] - 3:12 GROUP [1] - 3:3 grouping [1] - 9:16 GYPSUM [1] - 2:12</p>	<p>IN [1] - 1:4 include [1] - 11:15 increasingly [1] - 9:23 individuals [1] - 11:22 InEx [1] - 6:13 information [1] - 8:18 initial [1] - 6:23 injured [1] - 9:17 input [2] - 10:13, 11:25 IS [1] - 4:9 issue [7] - 6:12, 6:15, 7:1, 7:2, 7:3, 7:4, 8:13 issued [1] - 7:2 issues [3] - 7:6, 10:12, 12:11 item [1] - 6:4</p>	<p style="text-align: center;">L</p> <p>LA [6] - 1:19, 2:5, 2:19, 2:24, 3:15, 3:21 ladies [1] - 5:8 language [1] - 12:7 LAW [1] - 2:8 law [2] - 9:10, 12:5 least [2] - 9:15, 10:9 left [1] - 7:21 LEONARD [1] - 1:18 LEVIN [2] - 1:21, 1:22 Liability [1] - 5:13 LIABILITY [1] - 1:5 liaison [2] - 5:14, 5:19 LIAISON [3] - 1:17, 2:17, 2:22 limited [1] - 11:21 LIMITED [1] - 3:4 liquidate [1] - 11:9 list [1] - 8:18 litigated [1] - 11:7 Litigation [1] - 5:13 LITIGATION [1] - 1:5 living [1] - 9:22 looking [1] - 9:20 looks [1] - 10:9 loss [1] - 7:14 lost [3] - 8:5, 9:18, 13:8 Louisiana [2] - 13:18, 13:19 LOUISIANA [2] - 1:1, 1:7 LTD [2] - 2:12, 2:13</p>
D	H	H	J	
		<p>Hall [1] - 11:5 Hamerin [1] - 10:18 hand [1] - 8:20 handful [1] - 7:24 hard [1] - 7:16 Harry [1] - 5:19 HARRY [1] - 2:23 hear [1] - 5:24</p>	<p>JACOB [1] - 3:17 Jake [3] - 6:6, 6:9, 8:9 JAMES [1] - 3:5 JANUARY [2] - 1:7, 5:2</p>	

M	N			
<p>MAIN [1] - 2:9 Manufactured [1] - 5:13 MANUFACTURED [1] - 1:4 Mao [1] - 12:7 March [2] - 12:21, 13:1 material [1] - 12:4 MATERIALS [2] - 3:3, 3:4 matter [2] - 7:13, 13:20 matters [1] - 8:5 MCCOLLAM [1] - 3:12 MDL [1] - 5:12 MDLs [1] - 10:4 mean [1] - 9:24 MECHANICAL [1] - 3:23 meeting [1] - 5:24 mentioned [3] - 9:14, 10:6, 11:19 MERIT [1] - 3:20 Merit [2] - 13:18, 13:23 met [1] - 5:24 MEUNIER [2] - 2:3, 2:4 Miller's [1] - 6:7 million [1] - 6:22 minute [1] - 13:9 minutes [1] - 13:6 modification [1] - 8:24 month [2] - 6:15, 7:3 monthly [1] - 5:23 morning [8] - 5:8, 5:10, 5:16, 5:18, 5:21, 6:3, 6:9, 10:24 Moss [1] - 7:22 most [1] - 8:25 motion [3] - 12:15, 13:8, 13:10 motions [1] - 8:2 move [2] - 8:1, 8:10 MR [21] - 5:16, 5:18, 5:21, 6:2, 6:9, 7:8, 7:14, 7:18, 8:7, 8:13, 10:16, 10:20, 10:24, 11:25, 12:10, 12:17, 12:19, 12:22, 12:24, 13:2, 13:3 MS [1] - 9:5</p>	<p>NATIONAL [2] - 3:3, 3:4 necessary [2] - 6:12, 8:18 need [2] - 8:23, 11:20 negotiated [1] - 8:17 NEW [8] - 1:7, 1:19, 2:5, 2:19, 2:24, 3:6, 3:15, 3:21 new [1] - 8:16 next [7] - 6:15, 6:16, 7:3, 8:13, 10:15, 10:20, 12:18 NEXT [1] - 4:9 NO [1] - 1:6 NORFOLK [1] - 2:10 normal [1] - 12:20 noted [1] - 12:24 notice [1] - 11:16 numbered [1] - 13:20 numeral [1] - 8:14 NY [1] - 3:6</p>	<p>12:1 parcel [1] - 11:18 part [2] - 7:16, 11:17 parties [8] - 5:24, 8:25, 9:1, 9:14, 10:6, 10:13, 11:8, 12:4 payment [1] - 6:23 payments [2] - 7:2, 7:4 PEACHTREE [1] - 2:14 PENDING [1] - 4:7 pending [1] - 10:21 people [3] - 9:21, 11:16, 11:20 Pepper [3] - 13:17, 13:21, 13:22 PEPPER [1] - 3:19 period [2] - 9:20, 9:22 person [1] - 9:17 PHELPS [1] - 2:22 PHILADELPHIA [1] - 1:23 phone [1] - 12:12 phonetically [1] - 10:18 Plaintiff [1] - 9:6 plaintiff [1] - 8:22 plaintiffs [4] - 5:17, 6:3, 8:17, 8:21 PLAINTIFFS' [1] - 1:17 plaintiffs' [1] - 8:10 Plaintiffs' [2] - 8:19, 11:12 PLASTERBOARD [1] - 2:13 pleasure [1] - 9:12 position [1] - 10:3 posted [1] - 12:13 potential [1] - 11:8 POYDRAS [2] - 2:5, 3:20 preconference [1] - 12:24 PRESENT [1] - 3:17 present [1] - 11:15 pretty [1] - 7:17 previously [1] - 5:25 Pro [1] - 6:20 pro [1] - 6:22 problem [1] - 10:12 PROCEEDINGS [3] - 1:12, 3:23, 5:1 proceedings [2] - 13:13, 13:20 PRODUCED [1] - 3:24 PRODUCTS [1] - 1:5 Products [1] - 5:13 profile [2] - 8:17, 8:22</p>	<p>Profile [1] - 9:7 program [6] - 6:5, 6:11, 6:14, 7:10, 7:20, 10:7 PROGRAM..... [1] - 4:5 property [1] - 7:21 proposed [4] - 5:25, 6:1, 8:19, 9:7 provisions [1] - 11:15 PSC [1] - 8:16 PTO [5] - 8:16, 8:23, 9:2, 9:8, 10:17</p>	<p>remediation [3] - 6:5, 7:10, 7:25 remind [1] - 7:25 repair [1] - 6:13 report [5] - 6:4, 6:6, 10:21, 12:11, 12:13 Reporter [7] - 13:17, 13:18, 13:18, 13:22, 13:23, 13:23 REPORTER [3] - 3:19, 3:19, 3:20 REPORTER'S [1] - 13:16 request [1] - 9:1 require [2] - 8:17, 8:21 respect [1] - 11:16 return [1] - 8:21 RICHARD [2] - 2:8, 2:9 Richard [1] - 10:24 rid [1] - 10:10 rise [2] - 5:7, 13:12 RMR [2] - 3:19, 13:22 Roman [1] - 8:14 ROOM [1] - 3:20 Rosenberg [1] - 5:19 ROSENBERG [5] - 2:23, 5:18, 12:19, 12:22, 13:2 ROTHENBERG [1] - 3:14 Russ [2] - 5:17, 6:3 RUSSELL [1] - 1:18</p>
	O		Q	
	<p>o'clock [1] - 12:22 O'KEEFE [1] - 1:19 obtained [1] - 11:4 OF [3] - 1:1, 1:12, 2:8 office [1] - 6:7 OFFICES [1] - 2:8 Official [2] - 13:18, 13:23 OFFICIAL [1] - 3:19 one [4] - 7:21, 8:9, 8:10, 12:18 ONE [1] - 2:14 Option [4] - 7:21, 7:24, 8:4, 8:8 ORDER [1] - 5:4 order [1] - 6:1 original [1] - 11:18 ORLEANS [7] - 1:7, 1:19, 2:5, 2:19, 2:24, 3:15, 3:21 ORRICK [3] - 3:5, 3:8, 3:9 ought [1] - 10:4 outs [1] - 8:4</p>	<p>quarter [1] - 7:23 quickly [2] - 6:25, 7:17</p>		
	P		R	
	<p>PA [1] - 1:23 PAGE [1] - 4:3 papers [2] - 11:10,</p>	<p>rata [1] - 6:23 re [1] - 5:12 RE [1] - 1:4 reach [1] - 8:20 reached [4] - 9:6, 9:7, 11:8, 11:9 reaching [1] - 8:16 ready [1] - 9:11 Realtime [2] - 13:17, 13:22 REALTIME [1] - 3:19 receive [1] - 6:22 received [3] - 5:25, 11:22, 12:4 receiving [2] - 11:17, 11:21 recess [1] - 13:11 recommendations [1] - 10:22 record [2] - 6:19, 13:20 RECORDED [1] - 3:23 recorded [1] - 6:5 reference [1] - 10:16 reflect [1] - 11:23 reflected [1] - 12:1 Registered [1] - 13:17 registered [1] - 13:23 RELATES [1] - 1:9 relates [2] - 8:13, 10:18 relocation [1] - 6:14 remaining [2] - 6:13, 7:14 remediating [1] - 7:22 REMEDICATION [1] - 4:5</p>		
	S			
				<p>s/Cathy [1] - 13:21 SAN [1] - 3:10 SANDRA [1] - 1:22 Se [1] - 6:20 seated [1] - 5:8 section [1] - 10:20 SEDVAN [1] - 1:21 selected [1] - 12:17 self [1] - 7:25 self-remediation [1] - 7:25 send [2] - 6:18, 6:19 sending [1] - 6:16 Serpe [2] - 10:22, 10:24 SERPE [4] - 2:8, 2:9, 10:24, 11:25 set [1] - 11:11 settlement [5] - 6:11, 7:7, 10:21, 11:3, 11:8 SETTLEMENT [1] - 4:7 share [1] - 6:23</p>

<p>signature [1] - 11:14 signatures [1] - 11:12 signing [1] - 9:2 sit [1] - 10:8 sitting [1] - 9:22 situation [1] - 9:17 someone [1] - 6:7 sometime [1] - 7:22 somewhat [1] - 12:8 sort [1] - 10:7 spelled [1] - 10:18 square [1] - 6:24 ST [2] - 2:19, 3:14 stages [1] - 7:11 standpoint [2] - 7:12, 10:10 state [1] - 11:5 State [1] - 13:18 STATE/FEDERAL [1] - 2:7 STATES [2] - 1:1, 1:13 States [2] - 13:18, 13:24 status [8] - 5:23, 6:4, 6:17, 10:20, 12:11, 12:12, 12:14, 13:4 STATUS [2] - 1:12, 4:9 stay [1] - 10:5 Steering [2] - 8:20, 11:13 STENGEL [1] - 3:5 STENOGRAPHY [1] - 3:23 still [2] - 9:25, 10:11 STREET [8] - 1:23, 2:5, 2:9, 2:14, 2:23, 3:6, 3:10, 3:20 submitted [2] - 8:24, 9:9 SUITE [5] - 1:23, 2:5, 2:9, 2:19, 2:23 supplemental [1] - 9:6 Supply [1] - 11:4 SUPPLY/PORTER [1] - 4:8 Supply/Porter [2] - 10:25, 11:18 SUTCLIFFE [2] - 3:5, 3:8 switch [1] - 8:3</p>	<p>Taishan's [1] - 11:14 tax [1] - 7:1 ten [1] - 9:16 terms [1] - 7:20 THE [29] - 1:12, 1:17, 2:7, 2:17, 2:21, 3:9, 5:7, 5:8, 5:11, 5:12, 5:14, 5:23, 7:6, 7:12, 8:6, 8:12, 9:13, 10:19, 11:19, 12:3, 12:15, 12:18, 12:21, 12:23, 13:1, 13:5, 13:6, 13:8, 13:12 they've [1] - 9:18 THIS [1] - 1:9 three [1] - 12:22 timely [1] - 8:21 titled [1] - 8:14 TO [2] - 1:9, 5:4 today [1] - 5:23 traditional [1] - 12:6 transcript [1] - 13:19 TRANSCRIPT [2] - 1:12, 3:23 treated [1] - 9:18 true [1] - 13:19 try [1] - 8:1 trying [1] - 8:10 TUESDAY [2] - 1:7, 5:2 turn [1] - 7:15 type [1] - 12:8</p>	<p>W</p> <p>wages [1] - 9:18 WALNUT [1] - 1:23 WARSHAUER [1] - 2:3 week [2] - 8:25, 11:11 WEST [2] - 2:14, 3:6 WHEREUPON [1] - 13:13 Woody [1] - 6:9 WOODY [4] - 3:17, 6:9, 7:8, 7:14 wrapping [2] - 7:10, 7:20</p> <p>Y</p> <p>year [2] - 7:3, 7:23 years [1] - 9:16 YORK [1] - 3:6</p>
<p>T</p>	<p>U</p> <p>UNITED [2] - 1:1, 1:13 United [2] - 13:18, 13:24 up [3] - 7:10, 10:7, 12:16 update [1] - 6:11 usual [1] - 12:13</p>	<p>“</p> <p>“CNBM” [1] - 3:5</p>
<p>TAI'AN [1] - 2:12 Taishan [6] - 5:19, 8:14, 9:3, 9:15, 10:9, 11:4 TAISHAN [4] - 2:12, 2:12, 2:21, 4:6</p>	<p>V</p> <p>VA [1] - 2:10 vacant [1] - 9:22 validation [1] - 8:20 VEJNOSKA [1] - 3:9 Venture [3] - 10:25, 11:4, 11:18 VENTURE [1] - 4:8 vigorously [1] - 11:7 VII [1] - 8:14 Virginia [1] - 11:5 VOICES [1] - 5:10</p>	