

MINUTE ENTRY  
ENGELHARDT, J.  
SEPTEMBER 27, 2012

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: FEMA TRAILER  
FORMALDEHYDE PRODUCTS  
LIABILITY LITIGATION

MDL 1873

THIS DOCUMENT RELATES TO ALL  
CASES

SECTION "N"

**JUDGE KURT D. ENGELHARDT PRESIDING**

**THURSDAY, SEPTEMBER 27, 2012 10:30 A.M.**

COURTROOM DEPUTY: Pam Radosta      COURT REPORTER: Susan Zielie

APPEARANCES: Gerald Meunier, Justin Woods, Robert Becnel, Frank D'Amico,  
Matt Moreland, Dennis Reich, Plaintiffs' Co-Liaison Counsel  
James Percy, and Ryan Johnson, Co-Liaison Counsel for  
Settling Defendant Manufactures

**FAIRNESS HEARING ON MANUFACTURER CLASS SETTLEMENT:**

**1) JOINT MOTION FOR FINAL APPROVAL OF MANUFACTURER CLASS  
SETTLEMENT (Rec. Doc. No. 25872)**

All present.

As to Class Notice/CAFA Notice:

Plaintiffs call: Wayne J. Henderson, sworn and testifies.

As to Report on Opt-Outs

Plaintiffs offer "Opt-Out" letters from Theodore H. Johnson as Fairness Hearing Exhibit-1,  
Henry A. Oliver as Fairness Hearing Exhibit-2, and Earl Smith as Fairness Hearing Exhibit-3,  
no objection - ADMITTED (attached to minutes).

PAGE 2 (10:30 AM HEARING)  
MDL 1873 "N"  
SEPTEMBER 27, 2012

As to Mediation of Class Settlement/ Objections to Class Settlement/Proposed Allocation Protocol:

Plaintiffs call: Daniel J. Balhoff, Special Master, sworn and testifies.

Plaintiffs offer letter from Dianne Guillot and Anthony Faucetta tendered for filing on September 26, 2012 as Fairness Hearing Exhibit-4, no objection- ADMITTED.

**2) MOTION OF PLAINTIFFS' STEERING COMMITTEE (PSC) TO APPROVE DEDUCTION OF COMMON BENEFIT FEES AND EXPENSES FROM MANUFACTURER CLASS SETTLEMENT FUND (Rec. Doc. No. 25840)**

Argument - **ORDERED GRANTED**. Reasons orally stated.

Confirmations stated on the record.

Exhibits admitted.

Court orally states Findings; accordingly,

**IT IS ORDERED** that the **JOINT MOTION FOR FINAL APPROVAL OF MANUFACTURER CLASS SETTLEMENT (Rec. Doc. No. 25872)** is **GRANTED**.  
Reasons orally stated and written reasons to follow.

Court adjourns at 11:45 A.M.

JS-10: 1:47



**TABLE OF CONTENTS**

**MANUFACTURER SETTLEMENT**

**I. CERTIFICATION/FAIRNESS**

- A. Memorandum in Support of Final Approval **Rec. Doc. 25872-1**
- B. Declarations
  - 1. Gerald E. Meunier **Rec Doc. 25646-5, 25872-6**
  - 2. Justin I. Woods **Rec Doc. 25872-7**
  - 3. James Percy **Rec. Doc. 25646-7**
  - 4. Class Representatives **Rec Doc. 25872-8**
  - 5. Mediator John Perry **Rec Doc. 25226-15**
  - 6. Mediator/Special Master Dan Balhoff **Rec Doc. 25646-6, 25872-5**
- C. Bellwether Trial Verdict Forms **Rec Doc. 25226-13**

**II. NOTICE**

- A. Wayne Henderson Declaration w/attachments **Rec. Doc. 25872-2**
- B. Ryan Johnson Declaration w/attachments **Rec. Doc. 25872-9**

**III. OPT-OUTS**

- A. Final List of Requests for Exclusion **Rec Doc. 25872-7**
- B. Opt-Out Letters FH SA<sup>s</sup> 1, 2, & 3 - #4 add'l just rec'd

**IV. SPECIAL MASTER REPORT**

- A. Report on Objections **Rec Doc. 25868**
- B. Class Benefit Formula **Rec. Doc. 25866**
- C. Incentive Awards **Rec. Doc. 25881**

**V. ORDERS (MANUFACTURERS)**

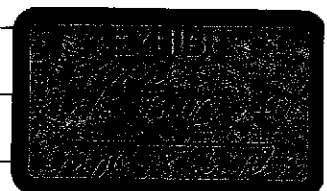
- A. Certification and Final Approval of Settlement **Rec. Doc. 25840-3**
- B. Fee and Cost Deductions **Rec. Doc. 25872-13**

Aug 6, 2012

I want to be excluded from The  
LAW SUIT IN RE: FEMA TRAILER  
FORMALDEHYDE PRODUCT LIABILITY  
LITIGATION Case # 2:07 MD 1873,  
Section N. Defendants are Gulf Stream  
Coach Inc. and Their insurers.

I am Theodore Howard Johnson, residing  
at 219 Patterson Drive in the City of  
Bogalusa, The Parish of Washington  
and The State of Louisiana zip code 70427

Respectfully Submitted  
~~Theodore H. Johnson~~  
Theodore H. Johnson  
219 PATTERSON DRIVE  
BOGALUSA LA 70427  
PH 985-750-0223



Gerald E. Meunier  
Justin I. Woods  
Gainsburgh, Benjamin, David, Meunier & Warshauer, LLC  
2800 Energy Centre  
1100 Poydras Street  
New Orleans, La. 70163

Re : FEMA Trailer Formaldehyde Products Liability Litigation  
MDL No. 1873

Dear Counsel ;

This will confirm that I intend to opt-out of the class action settlement proposed in this matter. I have provided the following required information;

Caption:

Henry Oliver, Sr., et al v. Keystone RV Company, et al  
USDC No. 11-3906

Plaintiff:

Henry Oliver  
15043 Hudson Krohn Road  
Biloxi, Ms. 39532  
228-396-1656

Manufacturer:

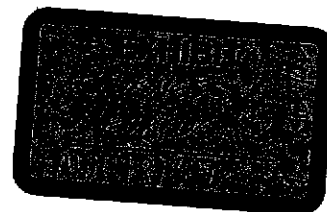
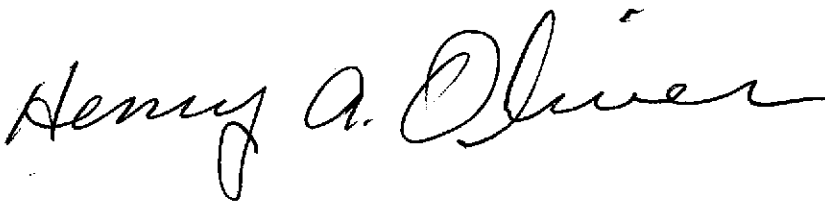
Keystone RV Company

Contractor:

Bechtel National, Inc.

Very truly yours,

Henry Oliver



Earl Smith  
4941 Hearst St.  
Metairie, Louisiana 70001

August 13, 2012

**SENT VIA USPS EXPRESS MAIL**

Gerald E. Meunier  
Justin I. Woods  
Gainsburgh, Benjamin, David,  
Meunier & Warshauer, LLC  
2800 Energy Centre  
1100 Poydras Street New Orleans, LA 70163

Clerk of Court  
Eastern District of Louisiana  
North Division  
Hale Boggs Federal Building  
United States Courthouse  
500 Poydras St., Room C-151  
New Orleans, LA 70130

***RE: In Re: FEMA Trailer Formaldehyde Product Liability  
Litigation (No. 2:07-MD-1873, Section "N" (5))***

I am writing to officially request that I, Earl Smith, be excluded from the Class. I am formally filing this class action opt out notice and providing the required information as follows:

**Plaintiff:**

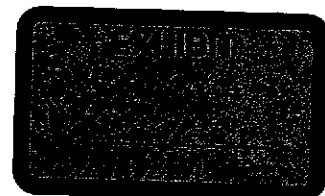
Earl Smith  
4941 Hearst St.  
Metairie, Louisiana 70001  
Telephone:(504) 455-1264

**Manufacturer:**

Gulf Stream Coach, Inc.

**Contractor:**

Shaw Environmental, Inc.




Please let me know immediately if you need any additional information prior to the August 17, 2012 opt out deadline.

I look forward to hearing from you.

With kindest regards, I am

Very truly yours,

A handwritten signature in cursive script, appearing to read "Earl Smith".

Earl Smith



ALJ

Office of the Special Masters  
Manufactured Home Defendants Litigation Allocation  
objections

In Re: FEMA Trailer Formaldehyde Product Liability  
Litigation.  
United States District Court Eastern District of  
Louisiana

MDL No: 1873

Date:

F.R.C.P. Rule 19, Joinder of Persons Needed for Just  
Adjudication, § (b) Determination by Court Whenever  
Joinder not feasible

Claim # 22694 Seq # 2312

Guillot, Dianne

8019 Trapier Ave. Apt. 12

New Orleans, LA. 70127

Claim # 22693 Seq # 2307

Faucetta, Anthony

PO Box 871675

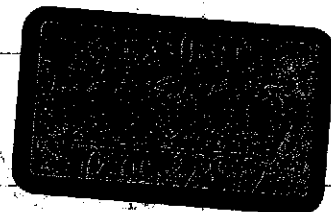
New Orleans, LA. 70187

Subject: ~~FOR FILING~~ TENDERED ~~FOR FILING~~ of said Allocation Do Not  
Address the Issue's

SEP 26 2012

U.S. DISTRICT COURT  
Eastern District of Louisiana  
Deputy Clerk

(1)



Adjust

Plaintiff; "Dianne C. Meyer Guillot" is Disabled by Standards of Social Security and registered with The State of Louisiana. With host of Preexistent Condition, before being assign a FEMA mobile home. Date: 4/18/2006.

Preexistent condition, Arthritis of Spinal Cord & hands, Joints and hip bone with constant Severe Pain, <sup>(2)</sup> Legally Blind, <sup>(3)</sup> high Blood Pressure, <sup>(4)</sup> — Multiple Allergy's, <sup>(5)</sup> Multiple Sclerosis.

Note: Listed Condition Made Worse by exposure to FEMA Trailer Formaldehyde Product, with increase of Constant Severe Pain Levels, Depriving one of a normal with out added Pain and Discomfort of life.

Evidence

<sup>(1)</sup> FEMA Records, <sup>(2)</sup> Medical Records, <sup>(3)</sup> — Completion of First Time Home Buyers Education and Financial Literacy Course at Southern University at Shreveport, Date: 6/12/2007. Acts were done to comply with Federal and State Requirement, Note: Acts of Accomplishment while in a lot of Pain.

Witness

Agmt

Anthony J. Faucetta, "Dianne C. Meyer Guillot,"

Note: Paper Work and Pictures of Allocation will support all facts listed.

Laws

FEMA and/or Manufactured Home Defendants violated The Constitution of the United State and certain Laws of The State of Louisiana, and from its order that if the Entity and/or Federal Agency is to continue, in operation, it must be done Constitutionally.

Acts are immediate and/or intermediate, long-range be "watch dog," to assure that State of Louisiana and/or all States of the Union, does so in accordance with The Constitution and Laws of The United States of America, and in accordance with The Constitution and Laws of the State of Louisiana.

Laws

42 U.S.C.A. § 12101, Title 42, The Public Health and Welfare Chapter, 126---Equal Opportunity for Individuals with Disabilities

42 U.S.C.A. § 12101, (8) + (9) + (6) "Purpose" (1) + (2) + (3) and § 12102 Definitions (1) + (A) + (B) + (C) + (D) + (2) - Disability, (A) + (B) + (C) + (3) State, § 1211 Disability

Agg

§ 12.111 Definitions (3) Direct Threat + (9) Reasonable accommodation. and (10) Undue hardship (A) In general

§ 12.112 Discrimination (a) General Rule + (b) - Construction (1) + (2) + (3) + (A) + (B) + (4) + (5) (A) (B) + (6) + (7)

§ 12.113 Defenses, (a) In general + (b) Qualification standards (d) List of infectious and communicable diseases (1) In general (A) (B) + (C) + (D) + (2) Application + (3) Construction.

§ 12.115 Posting notices

§ 12.116 Regulation, § 12.117 Enforcement (A) Powers, Remedies + procedures + (b) Coordination.

§ 12.131 Definitions (1) Public Entity (A) + (B) + (2) Qualified individual with a disability

§ 12.132 Discrimination § 12.133 Enforcement

§ 12.134 Regulations, (A) In general + (b) Relationship to other regulations + (c) Standards

§ 12.128 Prohibition of discrimination by Public accommodations, (A) General Rule + (b) Construction

(1) General prohibition + (A) Activities + (i) Denial of participation (ii) Participation in unequal benefits + (2) specific prohibitions (A) Discrimination

Adjusted

(A) Discrimination for purpose of subsection  
(a) + (i) + (ii) + (iii) + (iv) + (v)

§ 12188 Enforcement, (A) In General (1) + (2)

Injunctive Relief, (b) Enforcement by  
Attorney General — (5) Judicial Consideration

§ 12201, Construction, (A) In general (b) + (c)

§ 12202 State Immunity

§ 12203 Prohibition against retaliation and  
coercion (a) + (b) + (c)

§ 12205 Attorney's fees (A) + (b) + (c)

note: The first, fourth, sixth and eighth  
Amendments are considered to be incorporated  
in the Fourteenth Amendments

Due Process clause, which does apply to the  
states. ALSO see U.S. CONST. AMENDS V-XIV

August

Note: The Fourteenth Amendments to The State of Louisiana affording citizen and/or Registered Voters more Rights than the Fourteenth Amendments of the United States of America.

Sincerely yours

A. J. Stapleton Sr. Anthony J. Stancetta  
Dianne C. Meyer Guillot  
Dianne C. Meyer Guillot

Anthony Joseph Stancetta, D.O.B. 1/07/1946  
soc. Sec. [REDACTED], Ph # 504-241-6236, cell  
318-393-3068, Address, 8019 Traquier Ave, Apt:  
12, New Orleans, LA. 70127,  
Louisiana I.D. Card, Permanent Disabled  
License No # 009174220

Dianne C. Meyer Guillot, D.O.B. 12/24/1953  
soc. Sec. [REDACTED], Ph # 504-241-6236, cell  
504-908-4222, Address: SAME

cc/AJST

(6)