

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
ALL CASES

ORDER AND REASONS

Before the Court is the Motion for Approval of Court Notice to Former Class Members (Rec. Doc. 1095), filed by the Plaintiffs' Steering Committee ("PSC"). The PSC has moved the Court to issue an Order approving both newspaper and radio announcement notifications to all former class members.

A. Newspaper Notification

The Court has determined that the newspaper notice¹ to former class members shall read as follows:

If you previously lived in a housing unit (travel trailer, park model, or mobile home) in Louisiana, Mississippi, Alabama or Texas, which was provided to you or your family by FEMA as emergency housing following either Hurricane Katrina or Hurricane Rita, then you should read this notice carefully because it applies to you and affects your potential legal rights.

¹ This notice is to be published in newspapers covering the areas of the four states where FEMA trailers were in use.

Class actions were brought on behalf of the residents of these housing units claiming that the residents were exposed to harmful levels of formaldehyde during the time they lived in the units. These lawsuits claimed that both the manufacturers of the housing units and FEMA were legally responsible for any harm due to formaldehyde exposure.

On December 29, 2008, the U.S. District Court in New Orleans decided that these claims cannot proceed together as a class action. Therefore, if residents now wish to pursue these legal claims, it is necessary that they do so by filing their own individual lawsuits. If you wish to do this, you should contact an attorney for further advice as to how and where this should be done. You may also visit the Court's website at www.jaed.uscourts.gov (Click on "MDL Cases" to find the formaldehyde litigation) in order to learn more about the proceedings in federal court in New Orleans.

While the request to certify a class was pending, legal time periods in which to file individual lawsuits against manufacturers may have been suspended. Now that there are no class action claims pending, there are legal deadlines to file suit which are important to consider. You should immediately consult with an attorney to discuss the deadline that applies to your individual claims.

This notice has been approved as to form only by Judge Kurt Engelhardt, U.S. District Court, Eastern District of Louisiana, New Orleans, Louisiana.

The costs associated with the dissemination of this notice shall be equally divided among (1) plaintiffs, (2) the defendant manufacturers, and (3) the defendant Government.

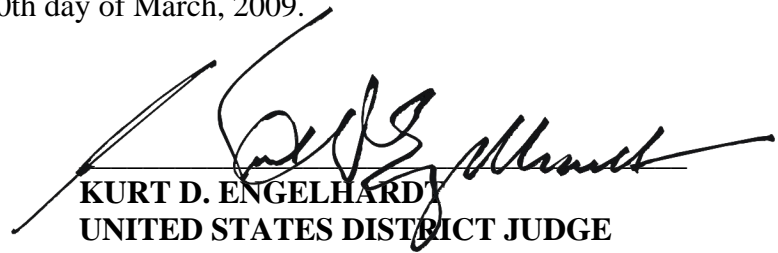
B. Radio Announcement Notification

This Court declines to issue an order approving any radio announcement notification. Plaintiffs may disseminate such information over the radio; however, they must do so at their own expense. The Court will not require the defendant manufacturers and the defendant Government to share the costs of such an announcement with Plaintiffs.

Considering the foregoing, **IT IS ORDERED** that the **Motion for Approval of Court Notice to Former Class Members (Rec. Doc. 1095)** is **GRANTED IN PART and DENIED**

IN PART.

New Orleans, Louisiana, this 20th day of March, 2009.



KURT D. ENGELHARDY
UNITED STATES DISTRICT JUDGE