

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  
Member Case No. 09-2977

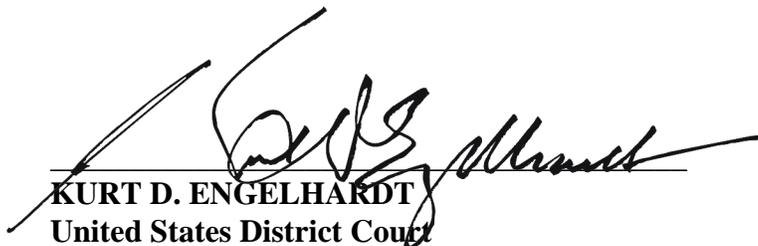
**ORDER AND REASONS**

Before the Court is Plaintiff's Motion in Limine to Prohibit Reference to Formaldehyde in Foods and Other Products (Rec. Doc. 11357). In this motion, Plaintiff seeks an order prohibiting any reference to formaldehyde in foods and other products. The Court has considered the memoranda of the parties and the applicable law. Accordingly,

**IT IS ORDERED** that **Plaintiff's Motion in Limine to Prohibit Reference to Formaldehyde in Foods and Other Products (Rec. Doc. 11357)** is **DENIED** to the extent that the jury can be made aware that while formaldehyde levels in food can play no role with respect to the irritant effects of formaldehyde, the formaldehyde levels in food can play a contributory role in formaldehyde levels in indoor air. Indeed, both sides of this issue may be presented to the jury,

particularly via expert testimony on direct and/or cross examination. In making this determination, this Court finds that such information will aid the jury in understanding the general nature of the substance involved herein.

New Orleans, Louisiana, this 25<sup>th</sup> day of February, 2010.



**KURT D. ENGELHARDT**  
**United States District Court**