

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

PRETRIAL ORDER NO. 62

On March 5, 2010, the Court held a status conference in chambers with liaison counsel, steering committee members, and counsel for the Government. The following individuals were in attendance: Jerry Meunier, Justin Woods, Andy Weinstock, Joe Glass, Matt Moreland, Ernie Gieger, Frank D'Amico, Jr., Jerry Saporito, Jim Percy, Stewart Tharp, Adam Dinnell, Tim Scandurro, Tom Thagard, Robert Becnel, Henry Miller, Mikal Watts, Dave Kurtz, Karen Whitfield, Gerry Barrios, Dennis Reich, Raul Bencomo, Charles E. Leche, Chris Pinedo, John J. Hainkel, Ralph Hubbard, Tony Buzbee, and Lyon Garrison. Following that conference, the Court held a general status conference in the courtroom, which was open to all counsel. As for the individuals in attendance, the Court has attached the sign in sheet from that conference.

During the conferences, the Court **ORDERED** as follows:

(1) The parties in the Recreation by Design bellwether trial shall file all pre-trial motions, including dispositive motions, on or before **Friday April 9, 2010**. Any oppositions to these motions should be filed **on or before Friday, April 16, 2010**. Leave to file replies to these motions is hereby granted and need not be requested. Any such replies shall be filed **on or before Wednesday, April 21, 2010**.

(2) The parties in the Recreation by Design bellwether trial shall file all motions directed towards expert testimony **on or before Friday, April 23, 2010**. Any oppositions to these motions should be filed **on or before Friday, April 30, 2010**. Leave to file replies to these motions is hereby granted and need not be requested. Any such replies shall be filed **on or before Wednesday, May 5, 2010**.

(3) The parties in the Recreation by Design bellwether trial shall file all motions in limine **on or before Friday, April 16, 2010**. Any oppositions to these motions should be filed **on or before Friday, April 23, 2010**. Leave to file replies to these motions is hereby granted and need not be requested. Any such replies shall be filed **on or before Wednesday, April 28, 2010**.

(4) Regarding the Recreation by Design bellwether trial, if deposition testimony is to be submitted in lieu of live testimony, *trial counsel* are to confer regarding the portions of the deposition transcript that are irrelevant. Those portions are to be redacted from the single transcript to be used at trial. Short memoranda identifying (by page and line numbers) and supporting any objections to the deposition testimony must be electronically filed or delivered to

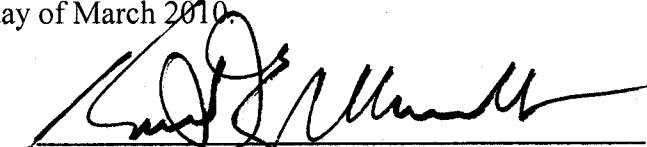
chambers no later than **Wednesday, May 5, 2010**, with oppositions thereto to be electronically filed or delivered to chambers at the same time. The Court will need a copy of the redacted, condensed deposition transcript(s) to be able to rule upon any objection(s).

(5) **On or before Tuesday, May 4, 2010**, the parties participating in the Recreation by Design bellwether trial shall confer and submit to the Court a jointly-agreed upon trial plan, which shall specifically set forth allotted time limits regarding witness questioning, etc. that will allow for completion of this bellwether trial within 10 work days.

(6) **On Friday, May 7, 2010 at 8:30 a.m.**, the Court will hold a status conference in chambers with liaison counsel, committee members, and counsel for FEMA.

(7) A general status conference, open to all counsel, will be held in the courtroom of the undersigned on **Friday, May 7, 2010 at 10:00 a.m.**

New Orleans, Louisiana, this 5th day of March 2010.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE

PTO Received: _____

Trial Set: _____

Jury/Non-Jury

CIVIL/CRIMINAL ACTION NO.:

PLAINTIFF (S)

VERSUS

Magistrate: _____

DEPENDANT (S)

MD L 1873

S.C.

CONFERENCE: PRE-TRIAL _____ STATUS _____ SETTLEMENT _____

DATE: _____

TIME: 10:00 AM.

PLEASE PRINT PLEASE PRINT

NAME

FIRM

REPRESENT

Robert Shusler

McGlinchey Stafford

Shaylene / Layton

John J. Heinkel

Ferlita LLC

Bechtel Northwood

[Signature]

Samp

PSC

Arman Ahlgren

Sank D'Audico

F&C

Henry Miller

DOT

USA

JACK BENJAMIN JR

Kroft Gatzlans Benjamin

Silver Creek & Associates

Maguel Babin

HCC

Sharilyn Mikh

HCC

Plaintiffs

Anthony C. Ray

HCC

Plaintiff

Trial Set: July/Nov-July

CIVIL/CRIMINAL ACTION NO.:

PLAINTIFF (S)

WEISERS

Magistrate:

DEFENDANT (S)

MDL 1873

CONFERENCE: PRE-TRIAL STAY SETTLEMENT

DATE: 3-5-10

TIME: 10:00 AM.

PLEASE PRINT **PLEASE PRINT**

NAME

FIRM

REPRESENT

<u>NAME</u>	<u>FIRM</u>	<u>REPRESENT</u>
<u>Ralph Ansbard</u>	<u>Zugenbuhl</u>	<u>Insurance Liaison</u>
<u>HEATHER CHEESBRO</u>	<u>LOSMAN CARNATHAN</u>	<u>CRUM & FORSTER</u>
<u>Larry Feldman</u>	<u>McGlinchey</u>	<u>Skyline</u>
<u>Jennifer Zajac</u>	<u>William J. Cuyll</u>	<u>Jyco + Stewart</u>
<u>Gery Barris</u>	<u>Baker Donelson</u>	<u>CITIZEN HILL</u>
<u>MARK Seamster</u>	<u>Galloway Johnson</u>	<u>Sunny Brook RV</u>
<u>Travis Baker</u>	<u>Hurricane Legal Center</u>	<u>Plaintiff</u>
<u>JOHN CRAWFORD</u>	<u>HLC</u>	<u>Pl.</u>
<u>PETER R. BOLSTEN</u>	<u>LA OFFICES OF PAUL SCHMITZ</u>	<u>Plaintiff</u>

PTD Received: _____

Trial Set: _____

July/Nov-July

CIVIL/CRIMINAL ACTION NO.:

PLAINTIFF(S)

WITNES

Magistrate:

DEFENDANT(S)

MDL 1873

S.C.

CONFERENCE: PER-TELL STATUS SETTLEMENT

DATE: 3-5-10

TIME: 10:00

PLEASE PRINT

PLEASE PRINT

NAME

FIRM

REPRESENT

Raul R. Berlano

Berlano / Associates

PSC

Ms. Morehead

Beene

TI - PSC

Jim Percy

Janice Walker

Keystone

David Kutz

Baker Donelson

Show

Ernie Frazier

Gregory Labovitz

Forrest River

Dennis Fuch

Reid + Binstock

TI - PSC

Greg Warner

WARE FIRM

IPD

Jessica Finnan

McCrann & Sistrunk

AXIS

Kelly Brian

Jeanonne & Remondet

Clarendon

Delbert Miller

KZRV

KZRV

PTD Received: _____

Trial Set: _____
July/Nov-July

CIVIL/CRIMINAL ACTION NO.: _____

PLAINTIFF(S) _____

VERSUS

Magistrate: _____

DEFENDANT(S) _____

MDL 1873

S.C.

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: March 5, 2010 TIME: 10:00

PLEASE PRINT PLEASE PRINT

NAME

FIRM

REPRESENT

Harriet Kaplan

Bernard Cassis

Superior Home's LLC

Joseph Lambert

J & M Inc

in

Lara White

Adams & Reese

MLU Services Inc.

Lamont Domingue

Vochies & Labbe

Cavalier, et al

Kenneth P. Carter

BAKER DONELSON

ARCH SPECIALTY INS. Co.

John Getty

Preis Roy

Westchester Surplus Lines Ins. Co.

Justin Woods

GAINSBURGH BENTAMIN

PSC

GLEN ADAMS

PORTEROS

SF

RANDALL MURPHY

GANNON YOUNG et al

Recreation By Design, LLC

Robert M. Beemel

Beemel

PSC

Trial Set: Jury/Non-Jury

CIVIL/CRIMINAL ACTION NO.:

PLAINTIFF(S)

WITNES

Magistrate:

DEFENDANT(S)

MDC 1873

CONFERENCE: PRE-TRIAL STATUS SETTLEMENT

DATE: 3-5-10

TIME: 10:00 A.M.

PLEASE PRINT PLEASE PRINT

<u>NAME</u>	<u>FIRM</u>	<u>REPRESENT</u>
<u>Tara Gilbreath Todd Gainsburgh</u>		<u>π</u>
<u>Denise Martin</u>	<u>"</u>	<u>"</u>
<u>Jordan Sanford</u>	<u>"</u>	<u>π</u>
<u>RYAN JOHNSON</u>	<u>JONES WALKER</u>	<u>Δ</u>
<u>BRENT MA BERTO</u>	<u>ALLEN'S BOOCK</u>	<u>Δ HEARTLAND</u>
<u>Tina L. Kappen</u>	<u>Lugenbuhl</u>	<u>Δ - Northfield</u>
<u>Christine Glose</u>	<u>McGlinchey Stafford</u>	<u>Δ - Muskegon</u>
<u>RosHuder</u>	<u>Hawkins Stoenen</u>	<u>π</u>
<u>Lezly Petrovich</u>	<u>Middlebury Bickel</u>	<u>Δ - Thru Enterprises, Inc</u>
<u>Theresa Anderson</u>	<u>Musgrave, McLachlan d. Penn</u>	<u>Δ - Athens</u>