

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (4)

THIS DOCUMENT RELATES TO
ALL CASES

PRETRIAL ORDER NO. 73

On August 4, 2010, the Court held a telephone status, and the following individuals participated: Jim Percy, Jerry Meunier, Justin Woods, Gerry Barrios, Roy Cheatwood, and Wade Bass. During the conference, the voluntary dismissal of the bellwether plaintiffs' claims for the November 8, 2010 bellwether trial was discussed.

The Court **ORDERED** as follows:

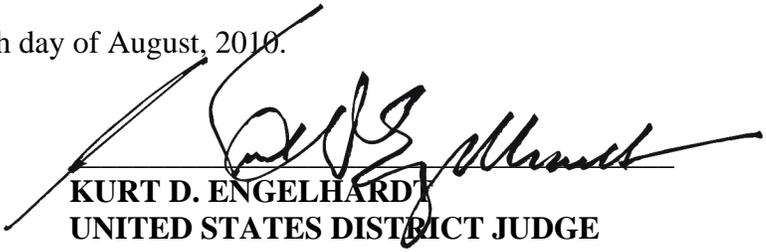
(1) The parties may keep the November 8, 2010 trial date against Keystone and nominate a bellwether plaintiff who meets the previously established criteria (i.e., has a history of smoking, when CH2M Hill is the contractor defendant, etc.) if and only if Keystone agrees to a summary jury trial. If Keystone does not agree,

(2) **On or before Wednesday, August 25, 2010**, Plaintiffs and Defendants (collectively among the manufacturing defendants, contractor defendants, and the Government) shall each provide to the Court and each other the names of three individuals with claims against Dutchmen, three individuals with claims against Crossroads, and three individuals with claims against Thor California¹ who are willing to

¹ Dutchmen, Crossroads, and Thor California are all affiliated entities of the Thor Group, which includes Keystone.

serve as bellwether plaintiffs in this matter. Plaintiff Fact Sheets for the nominees should also be provided. These individuals need not be limited to those with claims against CH2M Hill. Also, a history of smoking need not be a criteria for nomination, although such individuals may be nominated. All nominees must certify that they understand what it means to be a bellwether plaintiff and that they are committed to participate in all necessary pre-trial matter and trial. **On or before, Tuesday, September 7, 2010**, the parties shall file a response to the opposing parties' nominations. The Court will then select one or more individuals to serve as bellwether plaintiffs for a trial, which will likely be set in the Spring of 2011.

New Orleans, Louisiana, this 4th day of August, 2010.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE