

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: FEMA TRAILER
FORMALDEHYDE
PRODUCT LIABILITY LITIGATION

MDL NO. 1873
SECTION "N-5"

JUDGE ENGELHARDT
MAG. JUDGE CHASEZ

THIS DOCUMENT IS RELATED TO ALL CASES

ORDER

Considering the foregoing motion by the Plaintiffs' Steering Committee (PSC), the legal authority supporting same, and the arguments concerning the Motion presented in open Court at a hearing in this matter on August 22, 2011,

IT IS ORDERED that the PSC's Motion to Approve Deduction of Common Benefit Expenses from Manufactured Housing Class Settlement Fund is hereby **GRANTED**, and that accordingly, the Court-Appointed Disbursing Agent deduct from the settlement fund established by the plaintiffs' class settlement with the manufactured housing defendants the total amount of \$953,644.28, and transfer this amount to the PSC in reimbursement of litigation and administration costs incurred for the common benefit of the plaintiff class; and,

IT IS FURTHER ORDERED that such Common Benefit Expenses will not be paid or reimbursed until five (5) days after both of the following have occurred: (1) the Final Settlement Date; and (2) Defendants and their insurers have obtained from all Governmental Authority Third Party Payer/Providers satisfactory proof of satisfaction and discharge of (a) all statutory Medicare claims asserted as to any Entitled Class Member, (b) all statutory liens asserted by a state Medicaid agency or agencies as to any Entitled Class Member and (c) any statutory

reimbursement or subrogation right asserted by any other Governmental Third Party Payer/Provider, along with a certification from the LRA as to the same.

IT IS FURTHER ORDERED that the CADA additionally reserve from the aforesaid settlement fund the total amount of \$271,000 for the reimbursement of the ongoing and prospective administration costs to be incurred in finalizing the plaintiff class settlement with the manufactured housing defendants, any amount unused in this reserve upon finalization of the settlement being subject to the further orders of this Court for the benefit of the plaintiff class; and,

IT IS FINALLY ORDERED that the above transfer for cost reimbursement and establishment of a \$271,000 reserve for ongoing and prospective costs, shall occur within 5 days of the Final Settlement Date.

THIS DONE the 17th day of November, 2011, New Orleans, Louisiana.


KURT D. ENGELHART
United States District Court