

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. 09-5991, 09-4730,  
09-7101, 09-7808, 09-7909, 10-1253,  
10-2189, 10-2248

**ORDER AND REASONS**

Before the Court is the "Plaintiffs' Motion for Leave to File Amended Complaints," (Rec. Doc. 23984), seeking to add to each complaint a direct cause of action against Burlington Insurance Company ("Burlington"). Defendant, Crum & Forster has filed a "Response of No Opposition to Plaintiffs' Motion for Leave to File Amended Complaint" (Rec. Doc. 24133), in which Crum & Forster states that it does not oppose the instant motion, subject to a full reservation of its right to challenge the attempted direct action to the extent it is asserted by Mississippi plaintiffs, as more fully stated therein. No other memorandum in response to the instant motion was filed by any party.

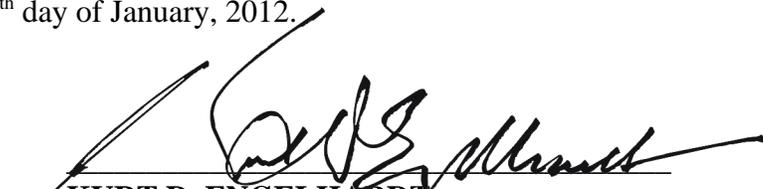
Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed eight days prior to the noticed submission date. Considering that no memorandum in opposition to "Plaintiffs' Motion for Leave to File Amended Complaints,"

(Rec. Doc. 23984), noticed for submission on January 25, 2012, was filed; and considering that defendant Crum & Forster has filed a “Response of No Opposition to Plaintiffs’ Motion for Leave to File Amended Complaint” (Rec. Doc. 24133), as described above; accordingly,

**IT IS ORDERED** that **“Plaintiffs’ Motion for Leave to File Amended Complaints,”** (Rec. Doc. 23984) is hereby **GRANTED**, allowing plaintiffs to file amended complaints, subject to a full reservation of rights on behalf of Crum & Forster, as set forth in Rec. Doc. 24133.

A motion for reconsideration of this Order, if any, must be filed within twenty-eight days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys' fees, will be assessed against the party moving for reconsideration. *See* FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana, this 25<sup>th</sup> day of January, 2012.

  
**KURT D. ENGELHARDT**  
**UNITED STATES DISTRICT JUDGE**