

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

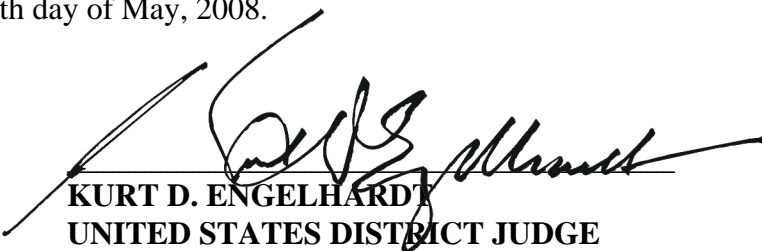
**PRETRIAL ORDER NO. 9**

In Pretrial Order No. 5, this Court ordered that Plaintiffs' Steering Committee's (PSC) Motion to Compel Defendant United States/FEMA to Respond to Subpoena for Certain Information (Rec. Doc. 119) was denied without prejudice in part and submitted in part. (Rec. Doc. 134). The motion was denied to the extent that the Court refused to order the Government to provide a Third Party Administrator with a list of all individuals who have resided in FEMA trailers so that a notice could be sent out to them. The motion was submitted to the extent that the Court postponed a final determination on the issue until after it was provided with and had reviewed the notices previously sent by the Government to current and former trailer recipients and/or occupants. At the May 9, 2008 general status conference, the Court ordered additional briefing on this matter. (Rec. Doc. 188).

After giving due and careful consideration to this matter and to the all the filings received relating thereto,

**IT IS ORDERED** that **Plaintiffs' Steering Committee's (PSC) Motion to Compel Defendant United States/FEMA to Respond to Subpoena for Certain Information (Rec. Doc. 119)** is **DENIED in its entirety without prejudice** to PSC's right to re-urge this motion after the Court's decision on class certification. A notice will be disseminated following a determination on the class certification issue, whether or not class certification is granted. At this juncture, the Court fails to see the need for an additional pre-certification notice. The Court also recognizes Plaintiffs' ability to advertise and/or disseminate news and information involving this litigation to the general public (as well as current and former occupants of FEMA-provided temporary housing units) through television, newspaper, and other media sources.

New Orleans, Louisiana, this 29th day of May, 2008.

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