

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. 10

IT IS ORDERED that, in addition to this Court's Local Rules, counsel are to adhere to the following rules regarding motion practice:

(1) Before any motion is filed with the Court, counsel for the movant shall contact opposing counsel to determine whether the motion is actually opposed. All motions shall include a certificate of conference indicating the outcome of such communication. If the motion is not opposed, it shall be filed in accordance with the Local Rules, shall state that it is unopposed, and shall include a proposed order. If the motion is opposed, it shall be filed in accordance with the Local Rules, shall state that it is opposed, and shall include a notice of hearing.

(2) If, after indicating opposition to a motion, opposing counsel determines that his/her client(s) actually do not oppose the motion, a notice of no opposition to the motion

shall be filed on or before the date on which the opposition would otherwise be due.

Counsel shall not wait for the Court to contact you regarding your lack of opposition.

(3) The Court will not provide counsel with a "reminder" regarding untimely opposition memoranda. Rather, counsel are advised that the Court makes a practice of simply granting meritorious motions as unopposed if an opposition is not timely filed. If counsel require additional time beyond that provided in the Local Rules or otherwise set by the Court in which to prepare an opposition memorandum, a motion seeking such relief must be filed.

(4) Pursuant to Local Rule 78.1E, notices of oral argument must be filed separate from the motion on which oral argument is requested. Proposed orders granting oral argument are not necessary.

(5) If oral argument is being heard on a motion, and the movant wishes to file a reply memorandum, the movant shall do so on or before 5:00 p.m. on the Friday before the hearing date, unless the Court authorizes a later filing date. Filing a reply late on the day before, or the morning of, oral argument will not allow consideration by the Court prior to the hearing.

(6) Motions to expedite hearing on motions shall be separate from the motions that they seek to expedite, and shall also be filed in accordance with the Local Rules.

(7) All oppositions shall be filed in accordance with the Local Rules (specifically, Local Rule 7.5E) and shall identify the motion addressed by the opposition memorandum by its exact title and record document number.

(8) When attaching exhibits to filings, counsel shall confirm that all referenced exhibits have been attached and are either stamped or stickered accordingly.

(9) If a chronology is important to a filing, counsel shall consider preparing and including a separate, itemized chronology or time-line (with citations to the supporting evidence) with such filing.

New Orleans, Louisiana, this 30th day of May, 2008.



KURT D. ENGELHART
UNITED STATES DISTRICT JUDGE