

AMENDED MINUTE ENTRY
DUVAL, J.
January 2, 2007

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE KATRINA CANAL BREACHES
CONSOLIDATED LITIGATION

CIVIL ACTION

NO. 05-4182

PERTAINS TO: ALL CASES
To be published to Web as Organizational Order

SECTION "K"(2)

IT IS ORDERED that the following Amended Minute Entry is substituted for Document No. 2420 and said link will be removed from the website and replaced with a link for this document.

Attending a telephonic status conference to discuss discovery in the Insurance cases which was held this date were:

James Garner,
Ralph Hubbard, Seth Schmeckle and Simeon Reimonenq, Jr. and
Joe Bruno.

1. Discovery Not Pertaining to Causation of Levee Breaches

The Court reiterated that it has no intention of staying discovery in the consolidated cases except with respect to causation of levee breaches. Considering that at this juncture, the first wave of Rule 12 motions has been filed and submitted as contemplated by the Court's previous scheduling orders,

IT IS ORDERED that the Order of April 11, 2006 deferring all Rule 26(a)(1) disclosures (Doc. 69) is **RESCINDED as it pertains to the Insurance Cases as designated under this umbrella** and Rule 26(a)(1) disclosures shall now issue in all designated Insurance Cases as provided under L.R. 26E except with respect to any claim or claims relating to

causation of levee breaches which discovery schedule is to be addressed by counsel on January 15, 2006 as ordered on November 29, 2006.

Moreover, depositions on any issue relating to the Insurance Cases under this umbrella other than those concerning the issue of the causation of levee breaches are permitted.

IT IS FURTHER ORDERED that Rule 26(a)(1) disclosures and other discovery including depositions in all other sub-categories of the umbrella cases shall be addressed in the January 15, 2006 proposed schedule.

2. Coordination of Levee Breach Causation Discovery

As it has been the consistent aim of the Court to attempt to coordinate discovery concerning causation of the levee breaches at issue herein,

IT IS ORDERED that a status conference in person shall be held in Chambers **on Thursday, January 11, 2007 at 2:00 p.m.** with Liaison Counsel Joe Bruno, Ralph Hubbard, James Garner, Robin Smith, Traci Colquette and Darlene Jacobs to discuss potential coordination of levee breach causation discovery in state court. The Court will invite Judge Kern Reese and Judge Lloyd Medley to participate, as well as the chief judges for civil district courts in Orleans, St. Bernard and Jefferson Parishes.

3. Motions to Administratively Close *Abadie* and *Aaron*

Presently pending are Plaintiffs' Motion for Leave to File Motion and Incorporated Memorandum in Support for Entry of An Order Administratively Closing *Aaron, et al. v. AIG, et al.*, C.A. 06-4746 (Doc. 2237) and Plaintiffs' Unopposed Motion for Leave to File Unopposed

Motion and Incorporated Memorandum in Support for Entry of an Order Administratively Closing *Abadie, et al. v. Aegis Security Ins. Co., et al.*, C.A. No. 06-5164 (Doc. 2238) to which opposition has been voiced. Accordingly,

IT IS FURTHER ORDERED that the Motions to Administratively Close (Doc. 2237 and Doc. 2238) are **SET for hearing with oral argument on January 24, 2007 at 9:30 a.m.**

A handwritten signature in black ink, appearing to read "H. M. Wood", is written in a cursive style.

JS10: 45 MINS.