

**MINUTE ENTRY**  
**DUVAL, J.**  
**October 24, 2007**

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF LOUISIANA**

**IN RE KATRINA CANAL BREACHES**  
**CONSOLIDATED LITIGATION**

**CIVIL ACTION**

**NO. 05-4182**

**PERTAINS TO: LEVEE, MRGO, BARGE**

**SECTION "K"(2)**

Attending a status conference held this day concerning a Motion were:

Joseph Bruno  
Ralph Hubbard  
Brian Gilbert  
John Aldock  
Derrick Walker  
Bill Treeby  
Robin Smith

The status conference was called by the Court to discuss with counsel MR-GO and LEVEE PSLCS' Joint Motion to Modify Case Management and Scheduling Order No. 4, as Amended, to Defer Class Action Certification Proceedings (Doc. 8603). The Court noted its concerns: 1) that there has already been an extensive expenditure for the hearing which is scheduled to commence on November 5, 2007; 2) that this motion is late-filed; but 3) that postponing the certification hearing until the motion practice (Rule 12 and Rule 56 motions) has been completed might make for a more cogent, streamlined proceeding, or could conceivably result in making such a hearing moot.

In addition, the Court noted that it was re-thinking the relationship between the BARGE category of the umbrella and MRGO, as the classes sought to be certified in these two matters are coterminous and perhaps should be heard in one proceeding. Accordingly,

**IT IS ORDERED** that any opposition to the Motion to Modify Case Management and Scheduling Order No. 4 (Doc. 8603) must be filed no later than **5:00 p.m. on Friday, October 26, 2007.**

**IT IS FURTHER ORDERED** that such memorandum shall also include any argument counsel may have for opposing the adjudication of the third-party claim of Lafarge against the United States with the adjudication of the MRGO claims.

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

JS-10: 1 HOUR