

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

IN RE: CHINESE-MANUFACTURED DRYWALL  
PRODUCTS LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:  
ALL CASES AND

*Payton, et al. v. Knauf Gips, KG, et al.*  
Case No. 2:09-cv-07628 (E.D. La.)

*Wiltz, et al. v. Beijing New Building Materials Public  
Limited Co., et al.*  
Case No. 2:10-cv-00361 (E.D. La.)

*Gross, et al. v. Knauf Gips, KG, et al.*  
Case No. 2:09-cv-06690 (E.D. La.)

*Rogers, et al. v. Knauf Gips, KG, et al.*  
Case No. 2:10-cv-00362 (E.D. La.)

*Amato, et al. v. Liberty Mutual Ins. Co., et al.*  
Case No. 2:10-cv-00932 (E.D. La.)

*Hernandez, et al. v. AAA Insurance, et al.*  
Case No. 2:10-cv-03070 (E.D. La.)

*Abel, et al. v. Taishan Gypsum Co., Ltd., f/k/a Shandong  
Taihe Dongxin Co., Ltd., et al.*  
Case No. 2:11-cv-00080 (E.D. La.)

*Abreu, et al. v. Gebrueder Knauf Verwaltungsgesellschaft,  
KG,, et al.*  
Case No. 2:11-cv-002528 (E.D. La.)

*Haya, et al. v. Taishan Gypsum Co., Ltd., f/k/a Shandong  
Taihe Dongxin Co., Ltd., et al.*  
Case No. 2:11-cv-01077 (E.D. La.)

*Vickers, et al. v. Knauf Gips, KG, et al.*  
Case No. 2:09-cv-04117 (E.D. La.)

MDL No. 2047

SECTION: L

JUDGE FALLON  
MAG. JUDGE WILKINSON

**ORDER ADJOURNING THE FORMAL FAIRNESS HEARING  
AND EXTENDING THE OPT-OUT/OBJECTION PERIOD**

It is hereby **ORDERED, ADJUDGED AND DECREED** that:

The Court's Preliminary Approval Order dated August 11, 2011 [Rec. Doc. 10064], preliminarily approving the Amended Stipulation and Agreement of Settlement dated August 8, 2011 (the "Banner Settlement"), is amended in order to adjourn the formal Fairness Hearing and extend the Opt-Out/Objection Period as follows:

1. The last day of the Opt-Out/Objection Period is extended from December 18, 2011 until January 18, 2012. Any class member wishing to opt out of or object to the Banner Settlement must notify Plaintiffs' Lead Counsel, Arnold Levin (Levin, Fishbein, Sedran & Berman, 510 Walnut Street, Suite 500, Philadelphia, PA 19106), counsel for all Banner entities except Banner PSL, Michael A. Sexton (Weinberg Wheeler Hudgins Gunn & Dial, LLC, 3344 Peachtree Road, NE, Suite 2400, Atlanta, GA 30326), counsel for all Banner entities, Michael P. Peterson (Peterson & Espino, P.A., 10631 S.W. 88th Street, Suite 220, Miami, FL 33186), and Co-Class Counsel, Dorothy H. Wimberly (Stone, Pigman, Walther, Wittmann, LLC, 546 Carondelet Street, New Orleans, LA 70130), in writing, postmarked no later than January 18, 2012, in compliance with the relevant provisions of the Banner Settlement.

2. Any class member who has already objected to or opted out from the Banner Settlement may withdraw or modify said objection or opt-out notice prior to the end of the Opt-Out/Objection Period (*i.e.*, prior to January 18, 2012) by notifying in writing Plaintiffs' Lead Counsel, Arnold Levin (Levin, Fishbein, Sedran & Berman, 510 Walnut Street, Suite 500, Philadelphia, PA 19106), counsel for all Banner entities except Banner PSL, Michael A. Sexton (Weinberg Wheeler Hudgins Gunn & Dial, LLC, 3344 Peachtree Road, NE, Suite 2400, Atlanta,

GA 30326), counsel for all Banner entities, Michael P. Peterson (Peterson & Espino, P.A., 10631 S.W. 88th Street, Suite 220, Miami, FL 33186), and Co-Class Counsel, Dorothy H. Wimberly (Stone, Pigman, Walther, Wittmann, LLC, 546 Carondelet Street, New Orleans, LA 70130) of their intention to withdraw or modify their objection or opt-out notice. Arnold Levin, Michael A. Sexton, Michael P. Peterson, and Dorothy H. Wimberly shall be obliged to file any opt-out notices or objections with the Court no later than January 30, 2012.

3. The Parties shall jointly move for final approval of the Settlement and final certification of the Class, in compliance with the relevant provisions of the Banner Settlement, no later than January 30, 2012.

4. The formal Fairness Hearing is adjourned until March 7, 2012 at 9:00 a.m., in order to consider comments on and objections to the proposed Banner Settlement and to consider whether (a) to approve thereafter the class settlement as fair, reasonable and adequate pursuant to Rule 23 of the Federal Rules of Civil Procedure, (b) to finally certify the settlement class, and (c) to enter the Order and Judgment provided in paragraph 9.1 of the Banner Settlement.

5. In addition to setting the Opt-Out/Objection Period and scheduling the formal Fairness Hearing, the Preliminary Approval Order appointed an Allocation Committee to make a written recommendation to the Court as to: (i) a fair and equitable plan of allocation of the Settlement Funds; and (ii) the evidence that Class Members will need to provide as part of their Proof of Claim to submit a valid claim, and directed the Allocation Committee to publish their written recommendation on the Court's website by no later than November 17, 2011. The deadline for the Allocation Committee to submit their written recommendation and publish it on the Court's website is extended from November 17, 2011 until December 16, 2011 (thirty days before close of the opt-out period).

6. Notice of this Order, the adjournment of the formal Fairness Hearing, the extension of the Opt-Out/Objection Period, and the extension of the deadline for the Allocation Committee to publish their written recommendation on the Court's website shall be posted on the Court's Chinese Drywall MDL website. Additionally, Class Counsel shall request that Notice of this Order, the adjournment of the formal Fairness Hearing, the extension of the Opt-Out/Objection Period, and the extension of the deadline for the Allocation Committee to make a written recommendation to the Court be posted on the CPSC website and the Florida Department of Health website.

**NEW ORLEANS, LOUISIANA**, this 18th day of November, 2011.

A handwritten signature in black ink, reading "Eldon E. Fallon". The signature is written in a cursive style with a horizontal line underneath it.

ELDON E. FALLON  
United States District Court Judge