

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER  
FORMALDEHYDE PRODUCTS  
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO  
Member Case No. 09-2977

**ORDER AND REASONS**

Before the Court is Forest River, Inc.'s Motion to Exclude Plaintiff's Animation Exhibit (Rec. Doc. 11355). The Court has considered the memoranda of the parties and the applicable law. Accordingly,

**IT IS ORDERED** that **Forest River, Inc.'s Motion to Exclude Plaintiff's Animation Exhibit (Rec. Doc. 11355)** is **DENIED**. A demonstrative aid is simply a means of highlighting a party's evidence in support of his theory of the case. In order to show a demonstrative aid, there must be an evidentiary basis therefor, even if it is an arguable, hotly-contested one. Thus, although some information depicted on this demonstrative aid is contested, at this time such information seems to be within the realm of the evidence that Plaintiff will present to the jury, through both

expert and lay witnesses. Of course, Forest River is free to put together its own demonstrative exhibit that reflects its theories, particularly with regard to ventilation; however, like any demonstrative exhibit, there must be some evidentiary basis therefor.

New Orleans, Louisiana, this 8th day of March, 2010.



**KURT D. ENGELHARDT**  
**United States District Court**