

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 cases 09-4105

ORDER AND REASONS

Local Rule 7.5E of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed and that a copy be delivered to chambers eight days prior to the date set for hearing of the motion. No memorandum in opposition to Keystone's Motion to Alter or Amend Order Dismissing Bellwether Plaintiff Jonah Stevenson (Rec. Doc. 13088)¹, set for hearing on April 7, 2010, was filed. Further, it appears to the Court that this motion has merit. Accordingly,

IT IS ORDERED that the **Keystone's Motion to Alter or Amend Order Dismissing Bellwether Plaintiff Jonah Stevenson (Rec. Doc. 13088)** is hereby **GRANTED**. Accordingly, pursuant to Federal Rule of Civil Procedure 59(e), the Court's March 16, 2010 Order (Rec. Doc. 12999) is hereby amended to reflect that the dismissal of Mr. Stevenson's claims is *with* prejudice.

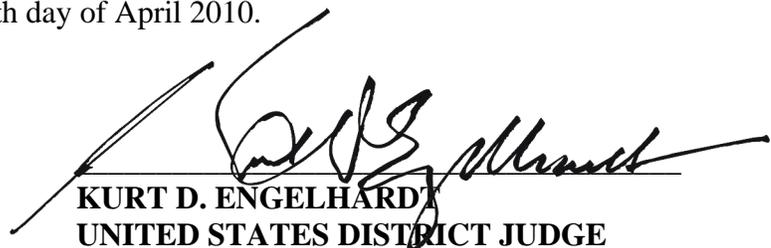
IT IS FURTHER ORDERED that counsel should refer to and familiarize themselves

¹ The Court notes that Defendant United States of America and Defendant CH2M Hill Constructors, Inc. have adopted and joined in this motion. (See Rec. Docs. 13100 and 13104, respectively).

with Pretrial Order No. 10, ¶¶ (1) and (2) (Rec. Doc. 301), to the extent such rules are applicable to this particular instance.

A motion for reconsideration of this Order, if any, must be filed within ten days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys' fees, will be assessed against the party moving for reconsideration. *See* FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana, this 7th day of April 2010.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE