

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
ALL CASES

PRETRIAL ORDER NO. 38

IT IS ORDERED that, for purposes of facilitating the progress of this MDL and the possibility of a resolution of it in the future, the Court will allow multiple, unrelated plaintiffs to join in filing a single complaint. (This shall apply prospectively to any future cases filed directly here or transferred here by the MDL Panel.) The following restrictions shall apply:

(a) No Complaint shall contain more than 300 plaintiffs.

(b) Each Complaint shall contain plaintiffs who have claims against the same manufacturer,¹ where known.

(c) Unmatched plaintiffs shall be included in a separate Complaint - not to

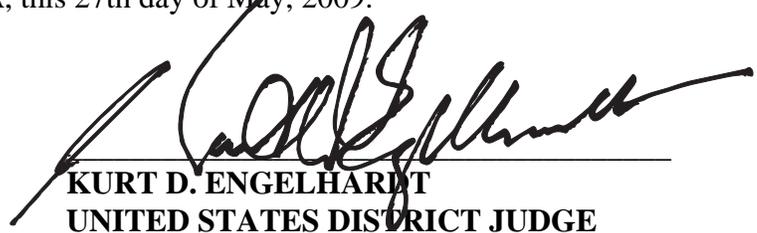
¹ One exception to this rule would be an instance wherein a Plaintiff lived in more than one emergency housing unit, manufactured by different manufacturers.

exceed 300 in number.

(d) All these cases will, of course, be subject to severance if the MDL cannot be resolved, in which case, Plaintiffs may then be responsible for paying separate filing fees for each severed Complaint, as per the discretion of the Court of proper venue.

(e) Defendants shall have the right to later file appropriate motions in response to such filings when the MDL returns these cases to the venues in which they were initially filed.

NEW ORLEANS, LOUISIANA, this 27th day of May, 2009.



KURT D. ENGELHART
UNITED STATES DISTRICT JUDGE