

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

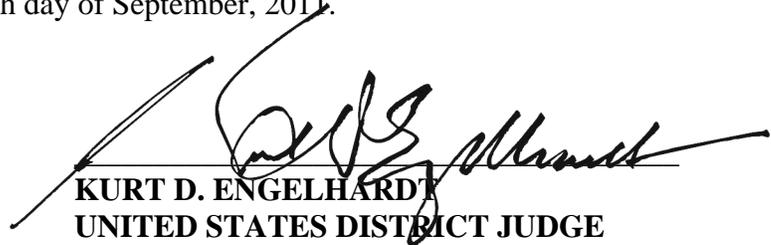
**ORDER AND REASONS**

Before the Court is "Fluor Enterprises, Inc.'s Motion for Judgment on the Pleadings to Dismiss the Third and Fourth Supplemental and Amended Administrative Master Complaints Based on the Government Contractor Defense" (Rec. Doc. 17754). This motion was opposed. (See Rec. Doc. 19843). The Court notes that it has addressed similar issues presented in the context of a Motion for Summary Judgment (see Order and Reasons at Rec. Doc. 3205, specific to the *Aldridge* matter (member case 07-9228)) and a Motion to Dismiss (see Order and Reasons at Rec. Doc. 18426, applicable to all cases). Indeed, the instant motion expressly adopts the previously ruled-upon Motion to Dismiss at Rec. Doc. 13421. (See Rec. Doc. 17754-2, p. 1). The Court sees no reason to re-visit the issues previously raised and addressed in the context of these other motions. Accordingly,

**IT IS ORDERED** that, for the same reasons as expressed in the Order and Reasons at Rec. Docs. 3205 and 18426, and for the reasons stated by the Plaintiffs in their Opposition at Rec. Doc.

19843), **“Fluor Enterprises, Inc.’s Motion for Judgment on the Pleadings to Dismiss the Third and Fourth Supplemental and Amended Administrative Master Complaints Based on the Government Contractor Defense”** (Rec. Doc. 17754) is **GRANTED IN PART** and **DENIED IN PART**. As set forth in footnote 2 of Rec. Doc. 18426, the motion is granted as to Plaintiffs’ maintenance claims against the movant; those claims are dismissed with prejudice. The motion is denied in all other respects.

New Orleans, Louisiana, this 7th day of September, 2011.



**KURT D. ENGELHARDT**  
**UNITED STATES DISTRICT JUDGE**