

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. 09-7104, 09-4734,
09-7814, 09-7917, 10-1261, 10-2201

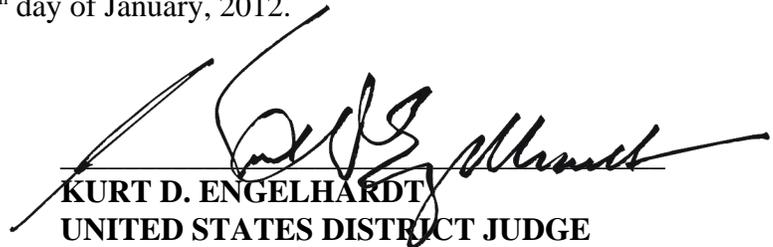
ORDER AND REASONS

Before the Court is "Liberty Mutual Insurance Company's Motion for Summary Judgment," (Rec. Doc. 24067), seeking to dismiss the claims that the plaintiffs listed in Appendix A thereto have filed against it on grounds that the Louisiana Direct Action Statute does not provide a right of action to them, given that the policy was not issued or delivered in Louisiana and the alleged injuries did not occur in Louisiana. Plaintiffs have filed a response memorandum (Rec. Doc. 24178), in which they state that the plaintiffs identified in Appendix A "agree to have their cases dismissed against only Liberty Mutual Insurance Company in the above referenced actions." Rec. Doc. 24178 at p.1. No other memorandum in response to the instant motion was filed by any party. Accordingly, considering that there is no opposition and finding that the motion has merit,

IT IS ORDERED that “**Liberty Mutual Insurance Company’s Motion for Summary Judgment,**” (Rec. Doc. 24067) is hereby **GRANTED**, dismissing the claims of the plaintiffs listed in Appendix A (Rec. Doc. 24067), as against Liberty Mutual Insurance Company only. This dismissal shall not affect the plaintiffs’ claims against any other defendant.

Further, the Court notes the corrections to Appendix A set forth in Plaintiffs’ response memorandum (Rec. Doc. 24178) at page 2.

New Orleans, Louisiana, this 25th day of January, 2012.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE