

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

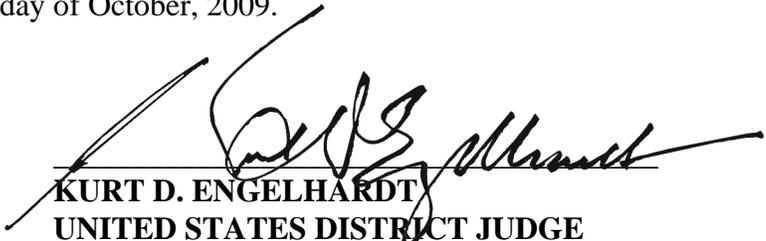
THIS DOCUMENT RELATES TO
Member Case No. 09-2967

ORDER AND REASONS

Before the Court is the Motion to Substitute Bellwether Plaintiff or in the Alternative to Continue Trial (Rec. Doc. 4164). After considering all the memoranda of the parties, including the oppositions filed by the United States of America (Rec. Doc. 4266), Keystone RV Company (Rec. Doc. 4270), and Shaw Environmental, Inc. (Rec. Doc. 4273),

IT IS ORDERED that the Motion to Substitute Bellwether Plaintiff or in the Alternative to Continue Trial (Rec. Doc. 4164) is **DENIED**, for all the same reasons the undersigned has previously discussed with counsel. If necessary, the Court is willing to appropriately instruct the jury as to any absences/prior commitments of bellwether plaintiff Raymond Bell, III that prohibit him from sitting through the entire trial, such that those absences will be excused.

New Orleans, Louisiana, this 1st day of October, 2009.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE