

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (4)

THIS DOCUMENT RELATES TO
ALL CASES

ORDER AND REASONS

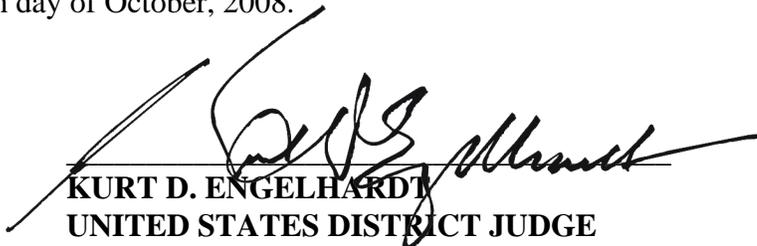
Before the Court are the following two motions: (1) Plaintiffs' Motion for Leave to File Second Supplemental and Amended Complaint (Rec. Doc. 656) and (2) PSC's Motion for Leave to File Second Supplemental and Amended Master Complaint (Rec. Doc. 657). Both motions were opposed.

On August 1, 2008, the Court issued an Order and Reasons on the "Motion to Dismiss Administrative Master Complaint on Behalf of Newly Added Defendants CMH Manufacturing Inc., Southern Energy Homes, Inc., Giles Industries, Inc., Sunray RV, LLC, Palm Harbor MFG., LP, and Palm Harbor Albemarle, LLC" (See Rec. Doc. 599). In that Order and Reasons, the Court ruled that sufficient facts have not been alleged to show that standing currently exists as to the Newly-Added Defendants. Thus, the Court granted the motion to dismiss based on lack of standing, without prejudice to the right of Plaintiffs to seek leave to amend, either by going forward with their contested motions for leave to amend (See Rec. Doc. 593 and 594) or by withdrawing those motions and filing new motions for leave to amend within 15 days of entry of this Order, after considering the Court's analysis in the Order and Reasons. The Court cautioned Plaintiffs that any Defendants not specifically matched to individual Plaintiffs would be dismissed without prejudice.

Plaintiffs, indeed, withdrew their contested motions (See Rec. Doc. 648 and 649) and filed the instant motions for leave to file amended complaints, in accordance with this Court's August 1, 2008 Order and Reasons. However, despite the fact that the undersigned instructed these motions for leave to be filed, certain defendants have opposed them. Accordingly,

IT IS ORDERED that the (1) **Plaintiffs' Motion for Leave to File Second Supplemental and Amended Complaint (Rec. Doc. 656)** and (2) **PSC Motion for Leave to File Second Supplemental and Amended Master Complaint (Rec. Doc. 657)** are **GRANTED**. The arguments made in the oppositions to these motions may be presented in responsive pleadings to the amended complaints.

New Orleans, Louisiana, this 6th day of October, 2008.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE