

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE: KATRINA CANAL BREACHES  
CONSOLIDATED LITIGATION

CIVIL ACTION

NO. 05-4182 "K" (2)

PERTAINS TO: Levee, MRGO, Insurance

JUDGE DUVAL  
MAG. WILKINSON

**ORDER**

In furtherance of the court's conference with Liaison Counsel of May 21, 2007, Record Doc. No. 5104, and considering the foregoing Third Joint Motion to Amend Case Management and Scheduling Order No. 4 ("CMO No. 4"), Record Doc. No. 3299,

**IT IS ORDERED** that the motion, Record Doc. No. 5148, is **GRANTED** and CMO No. 4 is hereby **AMENDED** as follows:

(a)

The Common Liability Master Written Discovery Plan shall proceed in two phases, thereby permitting the plaintiffs, defendants and the United States to serve some of their requests for production, requests for admission and/or interrogatories upon each other during Phase I, while reserving the remainder of their requests for production, requests for admission and/or interrogatories for Phase II of the Common Liability Master Written Discovery Plan.

(b)

Phase I of the Common Liability Master Written Discovery Plan shall proceed according to the deadlines set forth in Section IV(B)(1).

(c)

The plaintiffs, defendants and United States shall serve any Phase II requests for production, requests for admission and/or interrogatories no later than **November 19, 2007**.

(d)

Any objections or responses to Phase II requests for production, requests for admission and/or interrogatories shall be due no later than **December 19, 2007**.

(e)

The combination of written discovery requests in Phases I and II relating to common liability issues discovery shall not exceed the numerical limits previously imposed by the court, and nothing in this motion or order shall be deemed to expand the numerical limitations of common liability issues requests for production, requests for

admission or interrogatories permitted to the plaintiffs, defendants or United States under Section IV(B)(1) of CMO No. 4.

New Orleans, Louisiana, this 23rd day of May, 2007.

A handwritten signature in black ink, appearing to read "Joseph C. Wilkinson, Jr.", written over a horizontal line.

JOSEPH C. WILKINSON, JR.  
UNITED STATES MAGISTRATE JUDGE

**CLERK TO NOTIFY:**

**HON. STANWOOD R. DUVAL, JR.**