

MINUTE ENTRY
DUVAL, J.
June 29, 2006

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

COLLEEN BERTHELOT, ET AL.,

CIVIL ACTION

VERSUS

NO. 05-4182

BOH BROTHERS CONSTRUCTION CO.,
L.L.C., ET AL.

SECTION "K"(2)
CONS. KATRINA CANAL

PERTAINS TO: ALL CASES

A status conference with Liaison Counsel Joseph Bruno, Ralph Hubbard and Seth Schmeeckle was held this day at 11:00 a.m. to discuss the scheduling of the Berthelot motions filed and noticed for hearing on July 12, 2006. Pursuant to the discussions had, the hearing date for following motions is **CONTINUED to August 11, 2006:**

- Doc. 463 Rule 12(b)(6) Joint Motion and Rule 56 Joint Motion for Summary Judgment of the Affirmative Defense of Peremption to Dismiss the Levee and MRGO Groups of Plaintiffs' Complaints on Behalf of Eustis Engineering Company, Inc., Burk Kleinpeter, Inc. and Modjeski and Masters, Inc.
- Doc. 552 Motion for Summary Judgment filed by Burk-Kleinpeter, L.L.C.
- Doc. 560 Boh Bros. Construction Co., L.L.C. Rule 56 Motion for Summary Judgment
- Doc. 563 Sewerage and Water Board of New Orleans' Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6)
- Doc. 568 Defendant Hanover Insurance Company's Motion for Judgment on the Pleadings
- Doc. 569 Defendant The Standard Fire Ins. Co.'s Motion for Judgment on the Pleadings
- Doc. 570 State Farm's Motion for Summary Judgment
- Doc. 572 Hartford's Rule 12 Motion to Dismiss
- Doc. 573 OLD and SWB Fed. R. Civ P. 12(b)(6) Joint Motion to Dismiss-

Doc. 598 Defendant Unitrin Preferred Insurance Company's Rule 12 Motion for Judgment on the Pleadings

Doc. 624 B & K Construction Company, Inc.'s Motion for Summary Judgment Based on Peremption

Oral argument shall commence at **9:00 a.m. on August 11, 2006** beginning with the Insurance Cases and proceed through the day.

IT IS FURTHER ORDERED that the hearing on the Motion for Partial Summary Judgment (Doc. 39) in *Humphreys v. Encompass Ins. Co., et al.*, C.A. No. 06-0169 is **CONTINUED to August 11, 2006 at 9:00 a.m.** to be heard in conjunction with the Insurance Cases.

IT IS FURTHER ORDERED that all amicus briefs that are to be filed with relation to any of these motions shall be filed no later than **July 14, 2006**. Any reply thereto shall be filed no later than **July 28, 2006**.

IT IS FURTHER ORDERED that the following motions remain set for July 12, 2006 **without oral argument** unless requested no later than July 8, 2006:

Doc. 404 Hanover Insurance Co.'s Motion for Summary Judgment Against Plaintiff Sophia Granier

Doc. 577 Joint Motion to Dismiss Claims for Attorneys' Fees

Doc. 576 Joint Motion to Dismiss Punitive Damages

IT IS FURTHER ORDERED that the Insurer Defendant's Motion to Sever and Deconsolidate (Doc. 574) is **WITHDRAWN** with the understanding that it may be re-urged in the event that the Insurer Defendants are not dismissed as a result of their pending motions.

A handwritten signature in black ink, appearing to read "H. M. Wood", is centered on the page.

JS-10: 1.25 HOURS