

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 JUL 19 PM 5:20
LORETTA G. WHYTE
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

COLLEEN BERTHELOT, ET AL.

Plaintiffs

VERSUS

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

Defendants

THIS DOCUMENT RELATES TO:
ALL CASES

* CIVIL ACTION NO. 05-4182
*
* SECTION "K"
*
*
* JUDGE DUVAL
*
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* MAGISTRATE NO. 2
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*
*
* MAGISTRATE WILKINSON
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PROTOCOL FOR CASE MANAGEMENT
CASE MANAGEMENT ORDER NUMBER 1

CONSOLIDATION OF CASES
CAPTIONING AND DESIGNATION OF GROUPINGS

This Case Management Order No. 1 delineates a set of rules by which the parties in those cases presently consolidated before the Court and all parties in litigation subsequently consolidated shall be bound.

IT IS ORDERED that the caption of the consolidated matters shall be, and is hereby, changed from *Colleen Berthelot, et al. v. Boh Brothers Construction Co., L.L.C., et al.* to *In Re: Katrina Canal Breaches Litigation*. For case management purposes, *In Re: Katrina Canal Breaches Litigation* shall be divided into four sub-categories which are as follows:

Fee _____
Process _____
 Dktd _____
CIRmDep _____
Doc. No _____

the caption shall indicate "Levee" in the "Pertains To" section, and then state the case name and number as follows: "Leblanc, No. 05-6327".

If the pleading, motion, or other submission applies to all cases within a particular group, the caption shall indicate the applicable group in the "Pertains To" section with one of the following: "All Levee," "All MRGO," "All Insurance," or "All Responder". Although rarely to be used, if the pleading, motion, or other submission applies to all cases, the caption shall indicate "All Cases" in the "Pertains To" section.

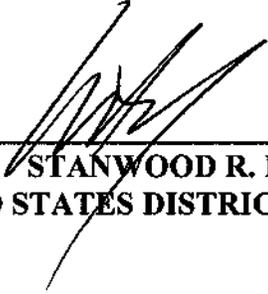
IT IS FURTHER ORDERED that with respect to the CM/ECF notices prepared by the Clerk of Court which are e-mailed to the parties, the Clerk of Court is directed to begin its entry of the Docket Text field with (1) the group, i.e., the "Pertains To" identifier, and (2) the "Cases" designations as specified by counsel for each pleading filed where appropriate.

IT IS FURTHER ORDERED that when any new case is consolidated into this litigation, the Clerk of Court shall notify Liaison Counsel for the plaintiffs, Joseph M. Bruno, and for the defendants, Ralph Hubbard. Liaison counsel shall then confer and within seventy-two (72) hours of receiving notification from the Clerk, said counsel shall file into the record a Notification of Designation informing counsel for the party(ies) filing the new suit as to the correct designation, *i.e.*, Levee, MRGO, Insurance, and Responder groups, which designation shall be mandated to be used by those parties by virtue of this Case Management Order No. 1.

IT IS FURTHER ORDERED that a copy of this Case Management Order No. 1 shall be filed into the record of the newly filed suit upon the docketing thereof.

IT IS FURTHER ORDERED that all future filings shall be captioned with the appropriate "Pertains To" and "Cases" designations as set forth herein.

New Orleans, Louisiana, this 19th day of July, 2006.



STANWOOD R. DUVAL, JR.
UNITED STATES DISTRICT COURT JUDGE

Exhibit A
In Re: Katrina Canal Breaches Consolidated Litigation
Case List as of July 18, 2006

| <i>Case Name</i> | <i>Cause No.</i> | <i>Pertains To</i> |
|----------------------------|------------------|----------------------------|
| O'Dwyer v. USA | 2:05-cv-04181 | Responder, Levee, and MRGO |
| Berthelot v. Boh Bros. | 2:05-cv-04182 | Levee |
| J. Vodanovich v. Boh Bros. | 2:05-cv-04191 | Levee |
| A. Vodanovich v. Boh Bros. | 2:05-cv-05237 | Levee |
| Kirsch v. Boh Bros. | 2:05-cv-06073 | Levee |
| Ezell v. Boh Bros. | 2:05-cv-06314 | Levee |
| Vanderbrook v. State Farm | 2:05-cv-06323 | Insurance |
| Brown v. Boh Bros. | 2:05-cv-06324 | Levee |
| LeBlanc v. Boh Bros. | 2:05-cv-06327 | Levee |
| Bradley v. Modjeski | 2:05-cv-06359 | Levee |
| Tauzin v. OLD | 2:05-cv-00020 | Levee |
| Bradley v. Pittman Constr. | 2:06-cv-00225 | Levee |
| Finney v. Boh Bros. | 2:06-cv-00886 | Levee |
| Chehardy v. State Farm | 2:06-cv-01672 | Insurance |
| Chehardy v. State Farm | 2:06-cv-01673 | Insurance |
| Chehardy v. State Farm | 2:06-cv-01674 | Insurance |
| O'Dwyer v. U.S. Army Corps | 2:06-cv-01850 | Responder, Levee, and MRGO |
| O'Dwyer v. USA | 2:06-cv-01885 | Responder, Levee, and MRGO |
| Reed v. USA | 2:06-cv-02152 | MRGO |
| Robinson v. USA | 2:06-cv-02268 | MRGO |
| Christenberry v. OLD | 2:06-cv-02278 | Levee |
| Sanchez v. OLD | 2:06-cv-02287 | Levee |
| Fitzmorris v. OLD | 2:06-cv-02346 | Levee |
| Marcello v. Boh Bros. | 2:06-cv-02545 | Levee |
| Artus v. USA | 2:06-cv-02824 | MRGO |
| Armstead v. C. Ray Nagin | 2:05-cv-06438 | Responder |