

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: CHINESE-MANUFACTURED * 09-MD-2047
DRYWALL PRODUCTS *
LIABILITY LITIGATION * Section L
 *
Relates to: All Cases * July 27, 2016
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STATUS CONFERENCE BEFORE THE
HONORABLE ELDON E. FALLON
UNITED STATES DISTRICT JUDGE

Appearances:

For the PSC: Herman Herman & Katz, LLC
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For the Knauf Defendants: Baker Donelson Bearman
Caldwell & Berkowitz, PC
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For the Taishan, CNBM,
and BNBM Defendants: Phelps Dunbar, LLP
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Proceedings recorded by mechanical stenography using
computer-aided transcription software.

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1 **THE COURT:** Is that right, Harry?

2 **MR. ROSENBERG:** That's right, Your Honor. Other than
3 that, there's nothing, other than the Court indicated it would
4 announce the next status conference.

5 **THE COURT:** Right.

6 **MR. MILLER:** Kerry Miller again, Your Honor, very
7 briefly.

8 The Knauf class settlement remediation program
9 enters its final phases. Phil Adams from Moss is here, as he
10 has been for all of our status conferences. There are only a
11 few homes left and they expect to complete them soon.

12 **THE COURT:** Thank you.

13 Anything from Jake?

14 **MR. WOODY:** Yes, Your Honor. I have a very brief
15 report regarding the other loss claims that we have talked so
16 much about.

17 On Monday, July 25, you entered an order on the
18 last appeal. I spoke with that attorney involved in that case,
19 and she indicated that our claimant accepted that decision and
20 would not be appealing it. That means that we can do the final
21 accounting, and we are now printing the checks. We'll send
22 them as soon as they are ready.

23 If you are represented, we will send it to your
24 lawyer and let the lawyer distribute it to the claimant, and we
25 will send it directly to *pro se* claimants. I expect we will

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1 have it done before the next status conference, hopefully next
2 week.

3 **THE COURT:** I suspect we will get some response. I
4 know that everybody recognizes that that was a finite fund. As
5 a result of that, the amounts have to be kind of just averaged,
6 in view of that fund.

7 **MR. WOODY:** Yes.

8 **THE COURT:** The people who are expecting X may get X
9 minus one or something of that sort. You are going to have
10 some comments, so you are going to have to handle those.

11 **MR. WOODY:** Yes, sir. There's a provision in the
12 settlement agreement that instructs us to do that.

13 **THE COURT:** Right.

14 **MR. WOODY:** But, yes, we are aware of that. We will
15 deal with that as it comes up.

16 **THE COURT:** Okay.

17 **MR. WOODY:** Thank you.

18 **THE COURT:** Thank you very much.

19 **MR. ROSENBERG:** Your Honor, I think the only other
20 item, to my knowledge, is the Court's announcement of the
21 status conferences for August and September.

22 **THE COURT:** The next status conference, as you know,
23 is August 25. The following one is September 22.

24 **MR. WOODY:** I have one more thing, Your Honor, that I
25 neglected to cover. It involves the stipend payments to each

09:03
1 law firm.

2 We filed a series of motions for rules to show
3 cause on some disputed issues. Those are all set for the next
4 status conference. We have been able to resolve a few of those
5 even before this conference and will continue to do that. I
6 will file an updated list of issues before that status
7 conference.

8 **THE COURT:** Let's do that so that I will know at the
9 status conference whether or not there's any issues left.

10 **MR. WOODY:** Yes, Your Honor.

11 **MR. HERMAN:** May it please the Court. Your Honor,
12 the only other matters, I want to thank the legal
13 representatives of BNBM and CNBM, who are in the courtroom
14 today. We will be meeting with Mr. Rosenberg immediately
15 following this hearing with regard to the BNBM recent report.

16 **MR. ROSENBERG:** Your Honor, I didn't think there was
17 an issue, but I'm always happy to meet with Mr. Herman and his
18 colleagues, as I advised the Court in the preliminary
19 conference. I didn't think that was part of the Court's agenda
20 today.

21 **THE COURT:** I'll see you all, then, at the next
22 status conference. Thank you very much. The Court will stand
23 in recess.

24 **THE DEPUTY CLERK:** All rise.

25 (Proceedings adjourned.)

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CERTIFICATE

I, Toni Doyle Tusa, CCR, FCRR, Official Court Reporter for the United States District Court, Eastern District of Louisiana, certify that the foregoing is a true and correct transcript, to the best of my ability and understanding, from the record of proceedings in the above-entitled matter.

s/ Toni Doyle Tusa
Toni Doyle Tusa, CCR, FCRR
Official Court Reporter

<p>MR. HERMAN: [2] 2/19 5/10 MR. MILLER: [2] 2/16 3/5 MR. ROSENBERG: [4] 2/12 3/1 4/18 5/15 MR. WOODY: [7] THE COURT: [12] THE DEPUTY CLERK: [1] 5/23</p>	<p>Appearances [1] 1/11 appreciate [1] 2/23 are [13] as [9] at [2] 5/8 5/21 attorney [1] 3/18 August [2] 4/21 4/23 August 25 [1] 4/23 Avenue [2] 1/14 1/17 averaged [1] 4/5 aware [1] 4/14</p>	<p>defense [1] 2/19 direct [2] 5/16 6/9 directly [1] 3/25 discuss [1] 2/10 disheveled [1] 2/7 disputed [1] 5/3 distribute [1] 3/24 DISTRICT [5] 1/1 1/2 1/10 6/3 6/3 do [5] 2/14 3/20 4/12 5/5 5/8 doing [1] 2/5 don't [1] 2/10 done [1] 4/1 Donelson [1] 1/15 Doyle [4] 1/21 6/2 6/9 6/9 DRYWALL [1] 1/4 Dunbar [1] 1/18</p>
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