

MINUTE ENTRY
ENGELHARDT, J.
SEPTEMBER 27, 2012

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL 07-1873

THIS DOCUMENT RELATES TO ALL
CASES

SECTION "N"

JUDGE KURT D. ENGELHARDT PRESIDING

THURSDAY, SEPTEMBER 27, 2012 1:30 P.M.

COURTROOM DEPUTY: Pam Radosta

COURT REPORTER: Susie Zielie

APPEARANCES: Gerald Meunier, Justin Woods, Robert M. Becnel, Plaintiffs'
Co-Liaison Counsel
David Kurtz, for Contractor Defendants

FAIRNESS HEARING ON CONTRACTOR CLASS SETTLEMENT:

**1. JOINT MOTION FOR FINAL APPROVAL OF CONTRACTOR CLASS
SETTLEMENT (Rec. Doc. No. 25877)**

All present.

Co-Liaison Counsel for Plaintiffs, Gerald Meunier incorporates the evidence and argument submitted at the 10:30 a.m. Fairness Hearing held this date, regarding the manufacturers' class settlement.

Counsel, David Kurtz addresses the Court.

As to Class Notice/CAFA Notice::

Plaintiffs call: Wayne J. Henderson, recalled, adopts testimony from the 10:30 a.m. Fairness Hearing held this date.

PAGE 2 (1:30 PM HEARING)
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As to Mediation of Class Settlement/ Objections to Class Settlement/Proposed Allocation Protocol:

Plaintiffs call: Daniel J. Balhoff, Special Master, recalled, adopts testimony from 10:30 a.m. Fairness Hearing held this date.

As to Report on Opt-Outs

Plaintiffs offer "Opt-Out" letters from Theodore H. Johnson as Fairness Hearing Exhibit-1, Henry A. Oliver as Fairness Hearing Exhibit-2, and Earl Smith as Fairness Hearing Exhibit-3, no objection - ADMITTED at the 10:30 a.m. Fairness Hearing held this date.

2. MOTION OF PLAINTIFF'S STEERING COMMITTEE (PSC) TO APPROVE DEDUCTION OF COMMON BENEFIT FEES AND EXPENSES FROM CONTRACTOR CLASS SETTLEMENT FUND (Rec. Doc. no. 25841)

Statements - **ORDERED GRANTED**. Reasons orally stated.

Confirmations stated on the record by counsel.

Exhibits admitted.

Court orally states Findings, accordingly,

IT IS ORDERED that the JOINT MOTION FOR FINAL APPROVAL OF CONTRACTOR CLASS SETTLEMENT (Rec. Doc. No. 25877) is GRANTED.
Reasons orally stated and written reasons to follow.

Court adjourns.

JS-10: 0:38

TABLE OF CONTENTS

CONTRACTOR SETTLEMENT

I. CERTIFICATION/FAIRNESS

- A. Memorandum in Support of Final Approval **Rec. Doc. 25877-1**
- B. Declarations
 - 1. Gerald E. Meunier **Rec Doc. 25647-13, 25877-6**
 - 2. Justin I. Woods **Rec Doc. 25877-7**
 - 3. David Kurtz **Rec Doc. 25647-15**
 - 4. Class Representatives **Rec Doc. 25877-8**
 - 5. Mediator John Perry **Rec Doc. 25226-15**
 - 6. Mediator/Special Master Dan Balhoff **Rec Doc. 25647-14, 25877-5**
- C. Bellwether Trial Verdict Forms **Rec Doc. 25226-13**

II. NOTICE

- A. Wayne Henderson Declaration w/attachments **Rec. Doc. 25877-2**
- B. David Kurtz Declaration w/attachments **Rec Doc. 25877-9**

III. OPT-OUTS

- A. Final List of Requests for Exclusion **Rec. Doc. 25877-7**
- B. Opt-Out Letters

IV. SPECIAL MASTER REPORT

- A. Report on Objections **Rec. Doc. 25868**
- B. Class Benefit Formula **Rec. Doc. 25866**
- C. Incentive Awards **Rec. Doc. 25881**

V. ORDERS (MANUFACTURERS/CONTRACTORS)

- A. Certification and Final Approval of Settlement **Rec. Doc. 25877-14**
- B. Fee and Cost Deductions **Rec. Doc. 25841-3**