

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
Member Cases Referenced in Rec. Docs.
25826, 25827, 25828 and 25829

ORDER AND REASONS

Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed eight days prior to the noticed submission date. No memoranda in opposition to the any of the following motions, each noticed for submission on October 3, 2012, were filed:

- 1) United States of America's Motion to Dismiss Alabama Plaintiffs' Claims for Lack of Subject Matter Jurisdiction (Rec. Doc. 25826);
- 2) United States of America's Motion to Dismiss Mississippi Plaintiffs' Claims for Lack of Subject Matter Jurisdiction (Rec. Doc. 25827);
- 3) United States of America's Motion to Dismiss for Failure to Comply with Fed. R. Civ. P. 4(m) and Effect Service of the Complaint in a Timely Manner (Rec. Doc. 25828); and
- 4) United States of America's Motion to Dismiss Louisiana Plaintiffs' Claims for

Lack of Subject Matter Jurisdiction, and to Dismiss Certain Louisiana Actions for Failure to Comply with Fed. R. Civ. P. 4(m) and Effect Service of the Complaint in a Timely Manner (Rec. Doc. 25829).

Further, it appears to the Court that the motions have merit. Accordingly,

IT IS ORDERED that each of the above motions is hereby **GRANTED**.

A motion for reconsideration of this Order, if any, must be filed within twenty-eight days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys' fees, will be assessed against the party moving for reconsideration. *See* FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana, this 3rd day of October 2012.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE