

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF LOUISIANA

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4 IN RE: PROPULSID PRODUCTS
5 LIABILITY LITIGATION

Docket No. MDL 1355
New Orleans, Louisiana
Tuesday, June 13, 2006

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8 TRANSCRIPT OF STATUS CONFERENCE PROCEEDINGS
9 HEARD BEFORE THE HONORABLE ELDON E. FALLON
10 UNITED STATES DISTRICT JUDGE
11 (BY TELEPHONE)

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P R O C E E D I N G S

(TUESDAY, JUNE 13, 2006)

(JUNE MONTHLY STATUS CONFERENCE)

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5 THE COURT: Hello, this is Judge Fallon. Who do I have on
6 the phone?

7 MR. HERMAN: Russ Herman and Lenny Davis and Arnold Levin
8 for the PSC as far as I know, Judge.

9 MR. LEVIN: Fred Longer is with me, your Honor.

10 MR. LONGER: Hello, your Honor.

11 THE COURT: Hello.

12 MR. ARSENAULT: Richard Arsenault here, Judge.

13 THE COURT: Okay.

14 MR. JUNEAU: Pat Juneau.

15 MS. WILKINSON: Jennifer Wilkinson on behalf of the Ingram
16 plaintiffs.

17 MR. PREUSS: Chuck Preuss and Tracie Militano on behalf of
18 defendants.

19 MR. CAMPION: Tom Campion.

20 MR. IRWIN: Jim Irwin.

21 MS. GARSAUD: Monique Garsaud.

22 THE COURT: Is that it?

23 MS. THOMAS: Carol Thomas.

24 THE COURT: We are here today to have our monthly status
25 conference. We are hopefully on the down slope of this particular

1 case, and so as not to burden the lawyers unduly, I've suggested
2 that we begin or at least try to have our monthly status conferences
3 by phone. So this is the first monthly status conference by phone,
4 although over the years we have utilized this technology to bring in
5 people who could not be present at the conferences.

6 I have received from the parties their joint report, Joint
7 Report No. 48, and I will take the areas in the order that they have
8 on there. First is the State Liaison Counsel and the MDL Resolution
9 Program II.

10 We've tried in this case when the first aspect of the case
11 resolved to see if we could learn from the federal portion of the
12 case and see if we could utilize that same approach to resolve some
13 of the state cases. The state lawyers have been particularly
14 helpful over the period of time that the case has been in federal
15 court and they have monitored the case and been of great assistance
16 to try to coordinate the state cases with the federal case. So I
17 wanted to try to see if we could reciprocate for their good will and
18 good work and utilize the federal court as well as we could to see
19 if another program would be fashioned. So I will hear from the
20 State Liaison at this time.

21 MR. ARSENAULT: Good afternoon, Judge, Richard Arsenault
22 here. As we reported to your Honor several status conferences ago,
23 we had an organizational type meeting in Mississippi. Your Honor
24 participated by phone, Mr. Levin, Mr. Hill, Ms. Barrios, myself and
25 others conducted the meeting in Jackson. We selected that venue

1 because it seemed to be where the critical mass was in terms of
2 cases, and we announced the details associated with the proposed
3 settlement and were there to assist with regard to questions anyone
4 had.

5 Subsequently we have been in constant communication with
6 all of the attorneys and clients that are eligible for this program.
7 We've sent out a number of communications via e-mail, regular mail,
8 and then we have taken it upon ourselves to personally communicate
9 with everyone who has clients eligible. We have provided them with
10 the exhibits necessary in terms of the motions to dismiss and the
11 list of their clients to make this as easy as possible.

12 To date, my understanding is that we have approximately
13 2,600 enrollees and we have been in communication with the
14 defendants this week. The deadline is going to be or was originally
15 June 17th, and we've been in communication with the defendants to
16 get a brief extension on that deadline to give people an opportunity
17 to finish whatever they need to do to enroll. And that's
18 essentially where we stand right now.

19 THE COURT: What's your input as to whether or not you're
20 going to get the numbers? Do you have any feel for that?

21 MR. ARSENAULT: We are cautiously optimistic, Judge.
22 Especially if we can get this extension. With Propulsid I there
23 were several extensions that were required to finally get the
24 enrollment and we are faced with the same situation here. The
25 initial response, the defendants certainly can speak for themselves

1 with regard to the extensions, but it's our sense that they have
2 been very kind and they will accommodate us with regard to the kinds
3 of extensions that we saw in Propulsid I. And with those we are
4 cautiously optimistic that we will be able to meet the necessary
5 enrollment minimums.

6 MR. HERMAN: This is Russ Herman, good afternoon.

7 THE COURT: Good afternoon.

8 MR. HERMAN: I have an e-mail from Chuck Preuss. Chuck
9 relates -- and Tom, I hope you don't mind me just detailing this, I
10 don't think Chuck is on the call.

11 MR. PREUSS: Yes, I am.

12 MR. HERMAN: Oh, okay. Chuck, you can give the precise
13 numbers.

14 MR. PREUSS: I think we suggested 60 and Dawn indicated
15 that 90 might work better and I think we will be able to accommodate
16 that, but we would like to make sure their client signs off on that.
17 But I don't anticipate any problem.

18 MR. HERMAN: Chuck, I was actually talking about the June
19 9th e-mail giving the figures on enrollment.

20 MR. PREUSS: Oh, okay.

21 MR. HERMAN: You don't have that in front of you?

22 MR. PREUSS: Yes, I do.

23 MR. HERMAN: Why don't you put that in the record.

24 MR. PREUSS: Okay. As of this point, and this point being
25 last Friday while things were still coming in, we had 2,518

1 claimants enrolled. 1,035 were PI and 34 were wrongful death, which
2 represents 50% and 26% of those constituting the eligible group for
3 MDL II. Achords, I didn't pull that out, but there are very few
4 Achords, and of course there is no tolling minimum in the MDL II.
5 So those are the three operative areas there, the PI, wrongful death
6 and the Achords.

7 THE COURT: How many do you need, Chuck, in order to make
8 it a go?

9 MR. PREUSS: Well, we need triple, I think, roughly triple
10 on the wrongful death and a little less than double on the PI. And
11 then all of the Achords. But I don't think Achord should be a
12 problem.

13 MS. BARRIOS: Judge, this is Dawn Barrios. We have been
14 calling and have called every firm several times and sent an e-mail
15 out as late as this morning showing they really only had four days
16 left before the Saturday date, but there were only two cases that
17 the attorneys indicated would not be put in. One is the West
18 Virginia case that's set for trial this month and then there was
19 another pediatric case. And out of all of the claimants that we
20 have spoken to, all of the firms, there are only two cases that will
21 probably not come in.

22 So I join Richard in saying I am very cautiously
23 optimistic. I am cautious but I am very optimistic.

24 THE COURT: Well, that's good. Dawn, you have to keep in
25 touch with Chuck on that, because I think if he sees the momentum in

1 the right direction he is going to be more inclined to extend dates.
2 And so I think you've got to keep in touch with him so that he knows
3 what's happening and how they're falling out.

4 MS. BARRIOS: Yes, sir.

5 MR. PREUSS: And they have, your Honor, and we've sent
6 them updated reports. Obviously since Friday we have gotten in some
7 more packets, we just haven't been able to process them all as of
8 yet, so the number is above I know what I just gave you. And we
9 will give our printouts to the state committee so they can keep tabs
10 on how things are going.

11 THE COURT: Okay. Fine.

12 MS. BARRIOS: You also, Chuck, have your disqualified ones
13 from Propulsid I that will flow into Propulsid II. Have you had an
14 opportunity to look at those numbers yet?

15 MR. PREUSS: No, but the eligibility is not on the ones
16 that didn't enroll on MDL I that could have. The eligibility is
17 based on the, for MDL II on those individuals who only could apply
18 for it under MDL II. They were not eligible and therefore
19 disqualified. Now, they have disqualified people, we are looking at
20 those to make sure that they are qualified for this, if their only
21 basis for disqualification was the fact that they didn't come under
22 the MDL I criteria. So we are keeping tabs on that as well.

23 MS. BARRIOS: Thank you.

24 THE COURT: All right. Okay. Anything further on that
25 issue?

1 The next item is Trust Account. Anything on trust
2 accounts?

3 MR. HERMAN: No, your Honor.

4 THE COURT: What about Trial Schedule? Tom, do you have
5 anything on that?

6 MR. CAMPION: There is an argument tomorrow on which is
7 essentially an uncontested motion for adjournment of that trial.

8 THE COURT: And then next item is the MDL Mediation. Pat,
9 are you with us?

10 MR. JUNEAU: Yes, sir.

11 THE COURT: Why don't you tell us about it.

12 MR. JUNEAU: From our standpoint, Judge, it's strictly we
13 are right in a transitional status right now with these doctors. We
14 have three doctors that all three have been approved. We have
15 coming up already scheduled the orientation, the kind offers of your
16 staff has made arrangements to use the court facility. I think
17 you're going to be there for the initiation of that process.

18 That's one part, but the bottom line of that is over the
19 past three weeks these four cases, we are just waiting on another
20 evaluation by a doctor. I was assured that either today or tomorrow
21 we would have one of these cardiologists come in and actually
22 physically review those files. My point being we've had about two
23 and a half or three weeks, it's very difficult to get a doctor to do
24 that because they are in a transitional point right now.

25 The other part, your Honor, you would be extremely

1 interested in, we had a very good, extensive, thorough meeting with
2 Bob Johnston yesterday in the curator status of the case. We have
3 gone through, and I think it was most helpful to people to get, to
4 kind of walk through the entire process. We are now in the process
5 of redrafting and looking at correspondence letters that are going
6 out, vis-a-vis the role of the PLC, the defendant, the Special
7 Master and the curator with regard to communications. And we are
8 setting up an internal process within the Special Master's office to
9 receive and coordinate with Bob Johnston all of the information
10 that's coming in.

11 We expect to have very -- well, we talked about this --
12 probably within the next two days, three days, the draft of the
13 letter that was circulating amongst all of us, it will be going out
14 to the claimant. It's a very critical letter because it's going to
15 itemize for people exactly what needs to be done, how it's done and
16 who is going to do it. So our goal is to get by the end of this
17 week a check off by everybody on that letter so that we will be able
18 to pull the trigger in the early part of next week to get that
19 letter out of here.

20 We are processing a lot of claims right now, there's a
21 lot of administrative claims we are trying to process out. We have
22 back in the system now Mr. Ingram's claims, vis-a-vis on those
23 pharmaceutical records that they worked out an agreement. I talked
24 Mr. Ingram and Tom Champion about that, they understand exactly where
25 we are and what's going to be done in that regard. I have given

1 them our assurance that that's definitely on our radar screen. As a
2 matter of fact, we've cleared some of that stuff, started to clear
3 out of our office as we speak.

4 And that's essentially where we are. We are waiting --
5 the time period is getting ready to expire, your Honor, on the
6 extensions, not extensions, the briefing period that were granted to
7 the defendants. We are going to be getting shortly from them
8 several cases are going to be coming in and we are ready to turn
9 those over to the panel. And it turns out that's going to occur
10 just about the time we make that transition into this new panel. So
11 I anticipate a big flood of cases within the next month and a half.
12 Hopefully it'll be going to this new panel that's being constituted
13 as we speak.

14 The last thing is, I am working with the staff hopefully
15 for tomorrow we will have finalized that, we have letters going to
16 all of the attorneys telling them what we are trying to do to
17 expedite this process, put some short stops in some of the things we
18 are doing.

19 And the other thing, we have got to get some of the these
20 deficiencies cleared. And the important thing is to understand
21 until the deficiencies are cleared, the thing never really gets into
22 the pipeline. So it's kind of the chicken and egg process. But we
23 have an extensive letter going to all of the lawyers telling them A,
24 B, C what's got to be done, this is really a follow-up, but this is
25 kind of the last real shot in the arm to give them the incentive to

1 get this in so we can fast track the balance of these claims.

2 That's essentially where we are.

3 THE COURT: That sounds good. Russ, you and Lenny ought
4 to really focus on the submissions because sometimes in a situation
5 like this the lawyers don't really recognize the significance and
6 importance in putting a lot of effort and devoting a lot of
7 attention to preparing that submission that they send to the
8 doctors. And it can't be done just with the back of the hand while
9 they're trying other cases. This is kind of like getting ready for
10 trial in a sense and I think they really have to understand that.

11 MR. HERMAN: We are -- we've been in communication with
12 them, many of the lawyers by e-mail and telephonically, and we are
13 considering whiting out all of the confidential information and
14 names from one of our submissions and just putting it, just putting
15 out to the lawyers saying that if they want a template for
16 submitting their claims, they can access through e-mail the type of
17 submission that we are recommending. And hopefully that'll help the
18 situation.

19 THE COURT: I think the important thing is that it's not
20 only significant for them but it's also significant for the overall
21 picture. And that they hurt both themselves, their clients and
22 themselves, but they also hurt the overall picture, the overall
23 program; because if the overall program looks upon as being paltry
24 and inappropriate, then everything has been lost or a lot has been
25 lost and a lot of people have been disappointed. So that's one way

1 of doing it.

2 Another way is sometimes if somebody wants to undertake to
3 be the submitter for an appropriate sum, they develop some expertise
4 in how to submit these matters, sometimes that can work, too. I've
5 seen that used, develops a cottage industry along submissions that
6 may be appropriate, too.

7 MR. JUNEAU: Judge, this is Pat Juneau, let me insert just
8 one point. I think I mentioned this to some of the lawyers when we
9 met with Bob Johnston yesterday. One of the problems that we've all
10 encountered, I don't think it's a question of anybody not
11 recognizing it, but nobody knew about the impact of it, we're kind
12 of learning as we go. But all of these HIPAA releases that were
13 obtained and submitted, one of the problems is once that was done
14 they submitted it and then those things just by the operational law
15 according to facilities, medical facilities, they won't accept them,
16 they established their own internal guidelines as to how long that
17 thing stays active.

18 And what that's caused is they will send in the release
19 and say, well, this release is not valid, it's beyond our 90 day
20 period and things like that. That's created some problems in the
21 record keeping part. But that's not because the people didn't get
22 them. I am speaking about one issue now. But on that part, the
23 attorneys did get it, it's just the operation just expired because
24 of the new law they have put in effect. But I think the sheet they
25 are going to get from us, we are sending to all of these attorneys

1 you can just track it, says this is the brief submitted, this is the
2 medical submitted; if it says no, they are going to know exactly
3 what the status of this case is or what is deficient. And it's a
4 summary, for example, some of these firms all of their clients gives
5 the same information. And that's about as good a sheet as they're
6 going to be able to get to expedite these claims.

7 THE COURT: All right. The other thing I wanted to ask
8 was Barry Hill's cases. There was some concern about him not
9 receiving funds. Anything on that from anyone?

10 MR. HILL: This is Barry, I am on the call by the way.

11 THE COURT: Okay, Barry. What's the situation with you at
12 this point?

13 MR. HILL: It looks like we have worked out our issues
14 with Militano at Chuck Preuss' office on the releases, and that we
15 should have a check shortly.

16 THE COURT: What are we talking about shortly?

17 MR. HILL: I will have to defer to Mr. Preuss on that.

18 THE COURT: Chuck.

19 MR. PREUSS: There is just one provision I need to talk to
20 him about. But the second thing that's critical is PTO 16(a), which
21 is the establishment with the clerk of a separate account for the
22 percentage due to the MDL on all of the settlements. And so once
23 that order gets filed then that'll allow Mr. Juneau to pay out on
24 the awards.

25 MR. HERMAN: I have that order on my desk right now. It's

1 fine with the plaintiffs and the PSC and it's fine with the DLC, and
2 I can bring it when I come over this afternoon at four o'clock, if
3 that's all right.

4 THE COURT: Yes, that's fine. Barry, you and Chuck get to
5 me on Wednesday and let me know whether or not it's worked out.

6 MR. HILL: We will.

7 MR. HERMAN: Chuck, is Jim on the call?

8 MR. IRWIN: I am.

9 MR. HERMAN: Jim, do you have any problem with me just
10 bringing this order over?

11 MR. IRWIN: No, sir.

12 MR. HERMAN: Okey-doke.

13 THE COURT: Okay. Hearing you all talk about this program
14 and hearing Pat sum it all up, Monique, you ought to be taking notes
15 and do some sort of article on this because these guys have really
16 created a good model hopefully for some other MDLs to work on.

17 MS. GARSAUD: I agree.

18 THE COURT: Our next item is the Pro Se Plaintiffs. Is
19 that what you were touching on, Pat?

20 MR. JUNEAU: Yes. Is Bob Johnston on? We told him, he
21 was going to try to get on this call, he had some commitments today.
22 I think Russ and Jim with the meeting, they can add to what I said,
23 but we pretty extensively went through all of this stuff.

24 MR. HERMAN: I think the only thing I will add is that Bob
25 was correctly concerned on making sure that the due process

1 requirements were met, saw that as his chief responsibility as a
2 curator. And Monique and Lenny were there. And I think among Pat
3 and Bob and Jim and Monique and Lenny and I, we pretty well agreed
4 on the type of information that would go to the pro se claimants and
5 the order in which they would receive notice to guarantee due
6 process.

7 And I will just go through that very quickly. The
8 consensus was that they get a comprehensive letter with attachments
9 showing exactly what they had to do in each step, that if the
10 certified letter were returned, Pat came up with a suggestion that
11 one of these national locator services then be used. And that
12 failing, the backup was that advertising three times in a local
13 publication of the last known address. So I think we're all
14 satisfied we can meet due process.

15 MR. IRWIN: Judge, this is Jim. And I would just add one
16 thing and that is that while we tweaked these documents a little
17 bit, like the election form and like the letter Pat and Russ were
18 talking about, and we will have to change, your Honor, the order a
19 little bit that we've submitted to your Honor. We will ask you to
20 please hold off on signing that order until we get everything ready
21 to go, all of the letters need to be ready. Bob Johnston's office
22 has to have all of the letters ready because once you sign the order
23 that's what starts the dates running and the deadlines.

24 THE COURT: All right.

25 MR. IRWIN: So when you sign the order we want to make

1 sure we are fully locked and loaded to send everything out.

2 THE COURT: I got it. The next item is Proposed Order
3 Designating as Confidential all Awards Made by the Special Master.
4 Anyone want to speak on that? I thought we did that.

5 MR. JUNEAU: Everybody agreed in principle about that
6 before.

7 THE COURT: I thought I had executed some orders making
8 those confidential, the ones I have seen.

9 MR. IRWIN: I think you did, Judge.

10 THE COURT: Next item is Emergency Motion for Distribution
11 of Attorney's Fees, is that still with me?

12 MR. HERMAN: Yes. Mr. Becnel has agreed to continue any
13 hearing. It was originally set for June 21st.

14 In terms of Mr. Dumas, we haven't heard from him today.

15 MR. LEVIN: This is Levin, your Honor. I believe that we
16 spoke with Mr. Dumas at the last conference, Mr. Davis and myself,
17 and I think he is, has a strong understanding that the order was
18 interlocutory and anything that he wants to bring up should be done
19 at the final distribution.

20 THE COURT: Okay. The next item is Walgreens and
21 Stephanie Newport's Motion for Reconsideration.

22 MR. IRWIN: Judge, we have resolved that and I believe
23 that could be removed from the agenda.

24 THE COURT: And then the new item is the Medical Panel
25 Presentations, and I understand we have that scheduled and we are

1 going to be able to hold it in my courtroom so you will have
2 facilities for overheads and things of that nature.

3 MR. IRWIN: Judge, have you been able to resolve your
4 criminal matter?

5 THE COURT: Well, they have moved it back.

6 THE DEPUTY CLERK: Judge, we understood they were bringing
7 the projector. I don't know if Judge Lemelle will need it if we
8 don't.

9 THE COURT: Jim, would you coordinate that with either
10 Laura or Gaylyn so that we know what you need and what you need to
11 bring?

12 MR. IRWIN: Yes, sir.

13 THE COURT: And the other item was Mr. Ingram's
14 Administrative Claims. Anything on that?

15 MR. JUNEAU: That's been withdrawn, Judge.

16 MS. WILKINSON: Your Honor, this is Jennifer Wilkinson on
17 behalf of the Ingram plaintiffs. Carroll Ingram and Mr. Juneau and
18 Mr. Campion have had a conference with us and have reached agreement
19 on how these claims are to be processed, and so there is nothing for
20 the court to address at this time.

21 THE COURT: That's fine. Anything further from anyone?

22 MR. JUNEAU: No, Judge, this is Pat Juneau, just one last
23 matter I want to make sure the ball is not dropped from our
24 standpoint. Once the papers are presented after an award is made
25 and the releases, and Chuck Preuss was talking about it, I want to

1 make sure that we got internally I guess between the court and
2 myself or whomever is that we get notified when that's done so that
3 we can be prepared to immediately make the release.

4 THE COURT: That's important I think because we spend a
5 lot of time and energy in getting it for you all to get it through
6 the panel, but then when it gets through the panel sometimes there's
7 a little let up and then all of a sudden the lawyer gets anxious
8 that he hadn't received the money. So we ought to have some
9 mechanism in place for tracking it. Any suggestions, Tom, do you
10 have any input?

11 MR. CAMPION: No. I think it's going to work out, I think
12 people are just learning how to do it, that's all.

13 THE COURT: That's the thing from the standpoint of the
14 plaintiffs that you have to keep in mind that the defendants on
15 these matters have the same team doing their submissions, so they
16 have some consistency going for them and they also have a good
17 learning curve. The problem that the plaintiffs have, which you
18 have to recognize, is that it's new each time and so you get
19 inconsistencies and you also get some people who have got their
20 interest other places.

21 And so you have to watch that later on down the road, you
22 get the poorer and poorer and poorer product and that it hurts not
23 only them and their clients; but as I say, it undermines the process
24 and may also create some problems for Propulsid II. I mention that
25 so that the plaintiffs can at least give it some thought because

1 consistency and also a good product is sometimes made better by
2 consistency. And you lose that with your side of the bar.

3 The next date I see as a meeting is August the 10th.

4 THE DEPUTY CLERK: You will be coming back from Denver.

5 MR. BECNEL: Judge, this is Danny Becnel. The motion that
6 I had for you, since you have to hear that and we've been looking at
7 the record, I was going to suggest rather than Russ and I going and
8 taking depositions all over the place that maybe you could mediate
9 that because you have to hear it anyhow.

10 THE COURT: Sure, yeah, that's fine.

11 MR. IRWIN: Your Honor, this is Jim Irwin. August 10, if
12 I could participate by telephone that would be fine.

13 THE COURT: Is this workable? I am looking for
14 suggestions from you all. I love to meet and greet with you, but if
15 we can do it on the phone and it's of help to you and you're
16 satisfied with it, then that's fine with me. Any input on that?
17 Can we do these meetings on the phone now or in person is better?

18 MR. HERMAN: Judge, this is Russ. I think that Jim and I
19 could have a half hour or 20 minute pretelephone call just to make
20 sure we're in sync and then we can do the Status Conference 49 by
21 conference call.

22 THE COURT: Does that sound okay to everybody? Jim, are
23 you all right with that?

24 MR. IRWIN: Yes, sir.

25 THE COURT: Russ, you all call in at 9:30 on the 10th and

1 then we will have our conference at 10 o'clock on the 10th, and
2 it'll all be done by phone.

3 MR. HERMAN: Jim?

4 MR. IRWIN: Yes.

5 MR. HERMAN: 9:30 okay with you?

6 MR. IRWIN: That is perfect.

7 MR. HERMAN: Judge, Jim and I will call in to you at 9:30
8 and we will start the conference at 10?

9 THE COURT: Right.

10 MR. IRWIN: Judge, this is Jim, could I add one more thing
11 to this conversation after Pretrial Order No. 48?

12 THE COURT: Yes.

13 MR. IRWIN: The Campion family will welcome a new daughter
14 into the family on Saturday when Tom's son Michael gets married.

15 MR. HERMAN: Well, I think that's wonderful and I want to
16 let you know that Arnold Levin has a wedding, it's Arnold's
17 daughter, correct, Arnold?

18 MR. LEVIN: I think so. June 25th, that's my last of six.

19 THE COURT: That's great, that's good news. I am always
20 happy to hear good news, particularly from friends.

21 MR. HERMAN: So the record is clear, the PSC has no
22 opposition to attempting to mediate the Becnel motion for a fee
23 adjustment.

24 THE COURT: And in closing, Laura said that this is her
25 last meeting. She tells me that she has enjoyed visiting with you

1 all over her period of time in the barrel. And I want you to know
2 that you've worn out another law clerk of mine.

3 MR. IRWIN: Good luck, Laura.

4 THE LAW CLERK: Thank you.

5 MR. JUNEAU: It's been a pleasure working with you.

6 MR. IRWIN: Pleasure indeed.

7 MR. HERMAN: Laura, good luck, and it's a great profession
8 and we are glad to have had you aboard.

9 THE LAW CLERK: Thanks, it's been great getting to know
10 all of you.

11 THE COURT: All right, folks, thank you very much.

12 (WHEREUPON, THE PROCEEDINGS WERE CONCLUDED.)

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REPORTER'S CERTIFICATE

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19 I, Karen A. Ibos, CCR, Official Court Reporter, United States
20 District Court, Eastern District of Louisiana, do hereby certify
21 that the foregoing is a true and correct transcript, to the best of
22 my ability and understanding, from the record of the proceedings in
23 the above-entitled and numbered matter.

24

25

Karen A. Ibos, CCR, RPR
Official Court Reporter