

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

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This Order Relates To:

ALL CASES

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**ORDER REGARDING MATTERS DISCUSSED AT THE
JUNE 18, 2018 STATUS CONFERENCE**

The Court held a status conference regarding its pending Flint water litigation on June 18, 2018. The Court now orders as follows:

***Cross-Motions to Replace Individual Co-Liaison Counsel
Hunter Shkolnik and Interim Co-Lead Class Counsel***

For the reasons set forth on the record at the June 18, 2018 status conference, the motions for replacement of co-liaison individual counsel and interim co-lead class counsel (Case No. 16-cv-10444) are DENIED.

Expiration of Appointments and Timing of Applications

As set forth on the record at the status conference, the Court will establish set terms for interim co-lead class counsel and individual co-

liaison counsel. Terms for these positions will expire on **December 31, 2018**. Applications for the next terms of these positions are due on or before **November 16, 2018**, and should be filed on the docket of Case No. 16-cv-10444.

Time and Expense Order and Participation Agreement

The Court will adopt the proposed time and expense order and participation agreement, and will enter the time and expense order and a sample of the participation agreement on the docket of Case No. 16-cv-10444 contemporaneous with entry of this order. The time and expense order is effective immediately.

Appointment of Special Master

The Court intends to appoint a special master pursuant to Fed. R. Civ. P. 53 to handle certain matters in this litigation. Rule 53(a)(1)(C) permits the Court to appoint a special master to “address pretrial and posttrial matters that cannot be effectively and timely addressed by an available district judge or magistrate judge of the district.”

The special master will handle the following areas of the litigation:

1. Administration of time and expense and common benefit submissions;

2. Managing any census order the Court may enter;
3. Coordinating state and federal court litigation;
4. Discovery matters as needed.

Pursuant to Rule 53(b)(1), the Court has announced its intention to appoint Deborah Greenspan of Blank Rome as a special master in this litigation. Any party to this litigation with alternative suggestions for a special master, potential reasons for Ms. Greenspan's disqualification, or other objections to Ms. Greenspan's appointment may file those suggestions or objections on the docket of Case No. 16-cv-10444 on or before **July 2, 2018**.

Issues With Short-Form Complaint Filings

Counsel in *Alexander* (16-cv-13421), *Brown* (18-cv-10726), and *Rogers* (18-cv-10713) will file amended complaints on or before **July 2, 2018** in accordance with the guidelines discussed on the record at the status conference.

The parties in *Marble* (17-cv-12942) are directed to submit a proposed stipulated order on or before **June 25, 2018** extending the summonses for the unserved defendants and extending the time for plaintiffs to file their response or responses to the pending motions to

dismiss until July 27, 2018. Counsel in *Marble* should also advise the Court of the anticipated date of filing of motions to dismiss for the unserved defendants after service has been accomplished.

Coordination of State and Federal Litigation

The group identified by the Court during the in-chambers status conference and set forth on the record at the in-court status conference, consisting of Corey Stern, Mark McAlpine, Susan Smith, Margaret Bettenhausen, William Kim, James Campbell, John Grunert, and Wayne Mason is directed to file a proposal for coordination of pending state and federal litigation on the docket of Case No. 16-cv-10444 on or before **July 9, 2018**.

Preliminary Discovery

Defendants are directed to file descriptions of the non-party materials they are seeking in preliminary discovery on the docket of Case No. 16-cv-10444 on or before **July 23, 2018**.

Motion for Census Order

Individual co-liaison counsel may file a motion for entry of a census order on the docket of Case No. 16-cv-10444 on or before **July 2, 2018**. Responses may be filed on or before **July 23, 2018**.

Upcoming Dates

Oral argument for motions to dismiss in *Carthan* will be held on **July 11, 2018 at 10 A.M.**

Oral argument for motions to dismiss in *Walters* and *Sirls* will be held on **September 26, 2018 at 10 A.M.**

Oral argument for motions to dismiss in *Marble* will be held on **October 30, 2018 at 10 A.M.**

The next status conference will be held on **September 12, 2018 at 2:00 P.M.** in Ann Arbor, Michigan. Parties are to file proposed agenda items in Case No. 16-cv-10444 by **August 29, 2018**. Individual liaison counsel should collect proposed agenda items from all counsel representing individual plaintiffs, and submit those proposed items as a single filing. The Court will issue an agenda by **September 5, 2018**.

IT IS SO ORDERED.

Dated: June 19, 2018
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 19, 2018.

s/Shawna Burns
SHAWNA BURNS
Case Manager