

# CAMP LEJEUNE PLAINTIFFS' LEADERSHIP COUNSEL

REPORT ON THE STATUS OF THE CAMP LEJEUNE WATER LITIGATION  
JUNE 27, 2024

Dear Counsel and *Pro Se* Plaintiffs:

The Court conducted a status conference on Thursday, June 27, 2024, attended by Plaintiffs' Leadership Group and DOJ counsel. The Honorable Magistrate Judge Robert Jones presided. The Court heard updates from the parties regarding several matters, including:

1. Motions/Matters Pending and Ripe for Determination

- Plaintiffs' Leadership Group's Motion for Rule 16 Conference.
- The Parties' Respective Proposed Discovery Plans for Track 2 Illnesses.
- The DOJ's Motion for Reconsideration of Case Management Order No. 10 Regarding Opt-Out Provision.
- Plaintiffs' Leadership Group's Motion for Partial Summary Judgment on CLJA Legal Representative Procedure.

2. Stipulations

The parties reported that they had a meeting on June 12, 2024 in order to continue working together to try to reach an agreement on stipulations in an attempt to narrow issues for trials. At the parties' June 12 meeting, they agreed to exchange information and will meet again in July.

3. Track 1 Trials

The Track 1 Trial Plaintiffs have been selected. All twenty-five (25) of the Plaintiffs have agreed to limit the trial to only their Track 1 illness. DOJ has requested that the short form Complaints for these Plaintiffs be amended accordingly. A proposed Order is being reviewed by the parties regarding the Track 1 Trials. All remaining Track 1 Plaintiffs' cases will be stayed pending the first 25 Track 1 Trials.

4. Track 1 Plaintiffs Discovery

Fact discovery for the Track 1 trials has been extended to forty-five (45) days from June 26, 2024. The parties continue to discuss the scope of the United States' voluminous requests for discovery of information related to Plaintiffs' claims for economic damage. Plaintiffs' Leadership Group has proposed a fact sheet to be answered in lieu of the DOJ's extensive discovery requests. DOJ is considering the proposal.

5. Other Issues

- Plaintiffs' Leadership Group informed the Court that issues relating to the following matters remain unresolved and may warrant future involvement of the Court:

- ATSDR Health Effects Project Files which still have not been produced by the DOJ;
- Privilege Logs which still have not been produced by the DOJ;
- The Court's request for an expert discovery plan, which is difficult to provide without knowing from the Court how the Track 1 Trials will be conducted.
- Plaintiffs' Leadership Group requested to be allowed to file a motion regarding issues arising with respect to Jacobs Engineering. The request was allowed.

#### 6. Anticipated Court Activity

In response to the last point above, Judge Jones indicated that the parties could anticipate one or more Orders from the Court in the weeks ahead, including a likely order establishing a hearing before all of the presiding judges regarding toxic chemical exposure over time. Judge Jones also indicated that the Track 1 Trials will be reassigned, possibly by illness, and the presiding judge for each trial will then hear and decide issues on general causation. Potential orders on expedited expert discovery and Daubert motions also were mentioned.

#### 7. Clarification From DOJ on Statute of Limitations

Plaintiffs' Leadership Group informed the Court that they are receiving questions from claimants and attorneys regarding the August 10, 2024 deadline. Plaintiffs' Leadership Group asked the DOJ to confirm its position as to whether lawsuits had to be filed with the Court by that date. **DOJ clarified that it is DOJ's position that there is no statute of limitations to file a lawsuit with the Court unless and until the Department of Navy denies the administrative claim.**

The next status conference with the Honorable Magistrate Judge Robert Jones has been scheduled for **Tuesday, July 16, 2024**, at 11:00 a.m. in Wilmington.

The transcript of the June 27, 2024 status conference will be posted by Plaintiffs' Leadership Group on its website upon receipt of same.

Note that with respect to administrative claims, the DOJ takes the position that all administrative claim forms must be presented to the Department of Navy by **August 10, 2024**. The Department of Navy has indicated that the following five fields must be completed in order for the administrative claim to be properly presented: **Name, Injury, Sum Certain, Authority, and Signature**. See the FAQs released by the Department of Navy on our website.

Please continue to monitor our website for real-time updates: <https://camplejeunecourtinfo.com/>.

Respectfully  
Plaintiffs' Leadership,

---

A. Charles Ellis  
Ward and Smith, P.A.  
Post Office Box 8088  
Greenville, NC 27835-8088  
*Liaison Counsel*

---

Hugh R. Overholt  
Ward and Smith, P.A.  
Post Office Box 867  
New Bern, NC 28563-0867  
*Liaison Counsel*

---

Ed Bell  
Bell Legal Group, LLC  
219 Ridge Street  
Georgetown, SC 29440  
*Lead Counsel*

Zina Bash  
Keller Postman LLC  
111 Congress Avenue, Suite 500  
Austin, TX 78701  
*Government Liaison & Co-Lead Counsel*

---

Elizabeth Cabraser  
Leiff Cabraser Heimann & Bernstein, LLP  
275 Battery Street, 29th Floor  
San Francisco, CA 94111  
*Co-Lead Counsel*

Mike Dowling  
The Dowling Firm PLLC  
Post Office Box 27843  
Raleigh, NC 27611  
*Co-Lead Counsel*

---

Robin Greenwald  
Weitz & Luxenberg, P.C.  
700 Broadway  
New York, NY 10003  
*Co-Lead Counsel*

Jim Roberts  
Lewis & Roberts, PLLC  
Post Office Box 17529  
Raleigh, NC 27619-7529  
*Co-Lead Counsel*

---

Mona Wallace  
Wallace & Graham, P.A.  
525 North Main Street  
Salisbury, NC 28144  
*Co-Lead Counsel*

ND:4870-7342-7916, v. 1