

# CAMP LEJEUNE PLAINTIFFS' LEADERSHIP COUNSEL

REPORT ON THE STATUS OF THE CAMP LEJEUNE WATER LITIGATION  
JULY 17, 2024

Dear Counsel and *Pro Se* Plaintiffs:

The Court conducted a status conference on Tuesday, July 16, 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. Joint Proposed Pretrial Scheduling Order for Certain Track 1 Trial Issues. [D.E. 254]

The Court requested the parties to meet and confer and thereafter to submit a modification of the Joint Proposed Pretrial Scheduling Order for Certain Track 1 Trial Issues to specify that discovery will include all experts for Track 1 Trial Plaintiffs. The parties will be conferring and submitting a Modification consistent with the Court's request.

2. Discovery Issues

- Plaintiffs' Leadership Group's Request for Production #7 requests certain ESI documents relating to the files of approximately ten government employees. DOJ has not agreed to produce the files as requested. The Court granted Plaintiffs' Leadership Group's request for permission to file a Motion to Compel.
- To date, DOJ has produced some but not all supporting documents Plaintiffs' Leadership Group has requested in discovery relating to ATSDR water modeling. DOJ is completing its privilege review and will be producing non-privileged documents in response. The Court encouraged the parties to produce as much within the deadlines as possible. The Court granted Plaintiffs' Leadership Group's request to file a Motion to Compel regarding privilege logs received from DOJ the previous night if issues cannot be resolved.
- The parties continue to disagree on issues surrounding State cancer registry databases. Plaintiffs' Leadership Group expressed concern that the DOJ is only now indicating the searches they previously agreed to conduct are too burdensome. Plaintiffs' Leadership Group believes all Plaintiffs have a right to know if their names were included in these registries since the registries form the basis for DOJ positions. Plaintiffs' Leadership Group again requested that DOJ simply produce the databases so Plaintiffs' Leadership Group can search them if the DOJ will not. The Court granted Plaintiffs' Leadership Group's request for permission to file a Motion to Compel on the subject.
- DOJ requested that Plaintiffs return the forms requested from the Track 1 Plaintiffs.

3. Motions/Matters Pending and Ripe for Determination

- Plaintiffs' Leadership Group's Motion for Rule 16 Conference. [D.E. 155]
- The Parties' Respective Proposed Discovery Plans for Track 2 Illnesses. [D.E. 155, 156]
- DOJ's Motion for Reconsideration of Case Management Order No. 10 Regarding Opt-Out Provision. [D.E. 169]
- Plaintiffs' Leadership Group's Motion for Partial Summary Judgment on CLJA Legal Representative Procedure. [D.E. 184]

4. Stipulations

- To date, DOJ is willing to stipulate only to very limited items such as actual water systems (wells) readings after 1980.
- Plaintiffs' Leadership Group is attempting to have the stipulations broadened and to include water modeling before 1980.

The parties will continue to confer to try to reach further agreements on stipulations.

5. Other Issues

The Court requested that in future Joint Status Reports, with respect to settled claims, the parties identify whether or not the claimants were active service members, dependents of active service members, or non-active service members. The parties indicated that they would endeavor to provide this information in future Joint Status Reports.

The next status conference with the Honorable Magistrate Judge Robert Jones has been scheduled for **Tuesday, August 6, 2024**, at 11:00 a.m. in Wilmington.

The transcript of the July 16, 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,

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