

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

IN RE: Case Number 7:23-CV-897
CAMP LEJEUNE WATER LITIGATION

APRIL 20, 2026
STATUS CONFERENCE
BEFORE THE HONORABLE ROBERT B. JONES, JR.
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

On Behalf of the Plaintiffs:

J. Edward Bell, III, Esquire
Jenna Butler, Esquire
William Michael Dowling, Esquire
Jim Roberts, Esquire
Mona Lisa Wallace, Esquire
Robin Greenwald, Esquire (Via Telephone)

On Behalf of the Defendant:

J. Adam Bain, Esquire
Joshua Carpenito, Esquire
David Ortiz, Esquire
Sara Mirsky, Esquire
Stanley E. Woodward, Jr., Esquire
Jonathan Gynn, Esquire

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10:45:49AM 1 (Monday, April 20, 2026 at 11:00 a.m.)

11:07:48AM 2 MR. BAIN: Your Honor, if I could, I would like
11:07:49AM 3 to introduce, we have the Associate Attorney General Stanley
11:07:51AM 4 Woodward here today as well as the Deputy Assistant Attorney
11:07:56AM 5 General Jon Guynn.

11:07:57AM 6 THE COURT: Good morning. This must be an
11:07:58AM 7 important conference. Good morning. Welcome. Mr. Bell,
11:08:02AM 8 what do you have for us?

11:08:03AM 9 MR. BELL: Good morning, Your Honor. Good to
11:08:05AM 10 see you again. Judge, I think the things that we have been
11:08:10AM 11 discussing are either resolved or in the process of getting
11:08:15AM 12 resolved. We had another meeting this morning.

11:08:19AM 13 THE COURT: Are you telling me that I am not
11:08:20AM 14 going to hear the word Muster Rolls again?

11:08:25AM 15 MR. BELL: Judge, I was not going to muster my
11:08:28AM 16 ideas up to mention that to you, but I think I am trying to
11:08:36AM 17 think of something we can fuss about, Judge, but I can't
11:08:40AM 18 think of anything.

11:08:41AM 19 THE COURT: That's a good sign. If we can
11:08:43AM 20 extend that to other parts of the case like stipulations,
11:08:45AM 21 that would be fantastic.

11:08:49AM 22 MR. BELL: We are glad the DOJ brought their
11:08:54AM 23 most distinguished gentlemen with them. Thank you very much.
11:08:57AM 24 Look forward to working with them. I think it's a good sign,
11:08:58AM 25 Your Honor.

11:08:59AM 1 THE COURT: I made a list. I went through the
11:09:00AM 2 status report. Give me a brief update on the offset motions.

11:09:08AM 3 MS. BUTLER: Your Honor, per the Court's
11:09:10AM 4 schedule, *Daubert* and summary judgment dispositive motions
11:09:16AM 5 are due on the 27th. And I think both parties are working on
11:09:19AM 6 that. We filed a Joint Appendix and the Sealed Joint
11:09:23AM 7 Appendix along with a motion to allow the sealing. And so I
11:09:27AM 8 think we are on schedule. I am not aware of anyone not being
11:09:31AM 9 able to meet those deadlines.

11:09:33AM 10 THE COURT: Mr. Bain?

11:09:34AM 11 MR. BAIN: The offset motion, Your Honor, has
11:09:36AM 12 been fully briefed, and it's ripe for decision.

11:09:43AM 13 THE COURT: So is the supplementation motion.

11:09:46AM 14 MR. BAIN: That's correct, Your Honor. But
11:09:47AM 15 that's one of the things we've been discussing, and we think
11:09:50AM 16 we will be able to resolve that. I would like Mr. Ortiz to
11:09:53AM 17 address that briefly.

11:09:55AM 18 MR. ORTIZ: Good morning, Your Honor. We did
11:09:56AM 19 discuss that motion as well as there was a section in the JSR
11:10:02AM 20 about authentication, you may have seen, PLG put that in
11:10:05AM 21 there.

11:10:06AM 22 THE COURT: That was my next item.

11:10:08AM 23 MR. ORTIZ: Right. We were discussing a way to
11:10:09AM 24 try to resolve both of those perhaps together if we can and
11:10:12AM 25 we are going to still work on that. I think we still need to

11:10:16AM 1 maybe exchange some language trying to resolve both of those.

11:10:20AM 2 So we would ask that the supplementation motion,
11:10:22AM 3 it is ripe but we would ask that it be held in abeyance while
11:10:26AM 4 we work on that to try to resolve it.

11:10:28AM 5 THE COURT: If there is an agreement between you
11:10:31AM 6 all, what form would that take? Do you think that would be a
11:10:37AM 7 motion to modify a scheduling order or?

11:10:41AM 8 MR. BELL: Probably, yes.

11:10:43AM 9 THE COURT: I mean, Ms. Butler, you have done
11:10:46AM 10 enough of these to know that in the pretrial -- Mr. Dowling
11:10:49AM 11 as well -- to know that in the pretrial order it touches upon
11:10:55AM 12 authentication and certainly the local rules touch upon
11:11:01AM 13 supplementation. So how would that be? Would it be a joint
11:11:05AM 14 motion to modify?

11:11:07AM 15 MS. BUTLER: I think it would be if we can reach
11:11:10AM 16 agreement. I think, I mean, our position is that the local
11:11:14AM 17 rule and the local rules and the federal rules really govern.
11:11:19AM 18 But I think given the number of cases and the number of
11:11:22AM 19 Plaintiffs and the amount of records, for example, that's why
11:11:26AM 20 we wanted to be able to serve requests for admissions in
11:11:29AM 21 advance of the exchange of the pretrial order.

11:11:32AM 22 And in a typical case, the pretrial order is
11:11:34AM 23 sufficient. But given the number of records here, we thought
11:11:37AM 24 of requests for admission which is a mechanism we often use
11:11:42AM 25 in other cases. But there's a discovery cutoff here. And

11:11:45AM 1 then as far as supplementation, you know, the discussion has
11:11:51AM 2 been that again given the number of Plaintiffs that they
11:11:56AM 3 would like a cutoff.

11:12:00AM 4 We are trying to discuss if we can agree to that
11:12:03AM 5 as is clear in our positions before the Court we believe that
11:12:08AM 6 everything should trigger off of the trial date and not just
11:12:11AM 7 be an arbitrary June 1st deadline or something.

11:12:15AM 8 We also don't believe that setting a deadline
11:12:17AM 9 should amount something a proper supplementation. So we are
11:12:21AM 10 trying to work through all of that and see if we can trigger
11:12:25AM 11 something off of the trial date that would satisfy both
11:12:28AM 12 parties as far as supplementation subject to a good cause
11:12:32AM 13 exception so that, for example, Mr. Peterson who had a heart
11:12:36AM 14 attack, that would be a good cause exception.

11:12:38AM 15 But we are still trying to work through to see
11:12:41AM 16 if we can reach agreement on that as is set forth in their
11:12:44AM 17 motion for supplementation deadlines and our opposition. We
11:12:48AM 18 are pretty far apart on our positions, but we had productive
11:12:52AM 19 discussions Friday at a meet and confer and again before
11:12:55AM 20 today where we are trying to work to see if we can come
11:12:59AM 21 closer and propose some or part of that to the Court for
11:13:03AM 22 consideration.

11:13:04AM 23 THE COURT: If you are going to key it off the
11:13:06AM 24 trial date, those are specific to the four District Judges.
11:13:11AM 25 Just thinking aloud here. Would you consider moving in those

11:13:19AM 1 four groups moving for status conference with respect to the
11:13:24AM 2 cases assigned to that particular District Judge for, I don't
11:13:30AM 3 know, maybe a better understanding or forecasting that in
11:13:34AM 4 those cases you would want to key off of a trial date?

11:13:38AM 5 MS. BUTLER: I think we would very much welcome
11:13:40AM 6 having a pretrial conference with the individual Judges.

11:13:44AM 7 THE COURT: There's still, I mean, it's obvious
11:13:46AM 8 there's still a lot of issues that need to be resolved before
11:13:48AM 9 the cases go to trial. But now the conversation is not about
11:13:54AM 10 general discovery deadlines but about trial specific
11:13:57AM 11 deadlines and other matters keyed off of those. Just a
11:14:02AM 12 thought. I don't know how they would feel about it. Just
11:14:04AM 13 kind of thinking out loud.

11:14:06AM 14 MS. BUTLER: I think it's a great suggestion and
11:14:08AM 15 that's certainly something that we can discuss as we consider
11:14:11AM 16 whether we are able to reach something to propose. But we
11:14:15AM 17 are looking at keying it off individual trial deadlines. And
11:14:19AM 18 it makes sense that each Judge would manage their own
11:14:22AM 19 pretrial procedures so.

11:14:24AM 20 THE COURT: Right. I don't know that any one of
11:14:27AM 21 them is in a position now to set what that date would be but
11:14:31AM 22 and I don't want to put work on their desks. But maybe it's
11:14:38AM 23 worth while having that conversation at some point.

11:14:41AM 24 MS. BUTLER: Because certainly anything we would
11:14:42AM 25 agree to, the Judge would have to agree to that.

11:14:45AM 1 THE COURT: Of course. Right.

11:14:46AM 2 MS. BUTLER: So that would be the procedure, I
11:14:48AM 3 think, that would be most appropriate.

11:14:50AM 4 THE COURT: All right. Suffice it to say that
11:14:52AM 5 supplementation and authentication are being looked at by the
11:14:58AM 6 parties.

11:14:59AM 7 MR. ORTIZ: Correct, Your Honor.

11:15:00AM 8 MS. BUTLER: Yes, Your Honor.

11:15:00AM 9 THE COURT: The message is to pump the brakes on
11:15:06AM 10 the supplementation motion.

11:15:08AM 11 MR. ORTIZ: Correct. Thank you, Your Honor.

11:15:11AM 12 THE COURT: That takes care of items 3 and 4.
11:15:15AM 13 Request for -- this is the Government's request for agreement
11:15:18AM 14 on produced records. What's the status of that? What's the
11:15:23AM 15 nature of that really?

11:15:24AM 16 MR. BAIN: Your Honor, we sent a proposal to the
11:15:27AM 17 Plaintiffs whereby we would suggest that each side list all
11:15:31AM 18 the records they produced to each other and that would
11:15:35AM 19 obviate the need to supplement the written discovery
11:15:39AM 20 responses which identify which records go to which request
11:15:42AM 21 for production since there's been so many back and forth and
11:15:45AM 22 we would have to revise those responses to written requests
11:15:50AM 23 for production over and over again. And we have sent that to
11:15:53AM 24 the Plaintiffs and are waiting for response from them.

11:15:56AM 25 THE COURT: Okay. Is that right?

11:16:03AM 1 MR. BELL: We are not sure, Your Honor, whether
11:16:05AM 2 that's a time effective thing for us to have to go back and
11:16:10AM 3 do. If there's some question about a particular set of
11:16:15AM 4 records, that certainly can be addressed. But to go back and
11:16:19AM 5 spend hours and hours with lawyers and paralegals time from
11:16:25AM 6 our standpoint may not be productive.

11:16:27AM 7 THE COURT: All of these, I assume, have some
11:16:29AM 8 tracking mechanism along with Bates numbers or things.

11:16:34AM 9 MR. BELL: Yes. We would do the same thing. Go
11:16:37AM 10 to our answers and look at what we produced. They are all
11:16:40AM 11 there. So when I saw that request coming in and saw the team
11:16:45AM 12 working on that, I asked them to hold off until we think
11:16:49AM 13 about it.

11:16:50AM 14 I think it's probably not something that we
11:16:55AM 15 would agree to in a blanket sense but I think if the
11:16:59AM 16 Government has a question on a particular answer we would be
11:17:02AM 17 glad to do the research and help them out on that.

11:17:05AM 18 MR. BAIN: I think we need to discuss more with
11:17:07AM 19 the Plaintiffs, Your Honor, because the parties do have an
11:17:09AM 20 obligation to update their written response request for
11:17:12AM 21 production to identify which documents are responsive to
11:17:15AM 22 which requests. We have done that periodically. The
11:17:18AM 23 Plaintiffs have not done that. So we want to try to reach an
11:17:21AM 24 agreement on what is needed to be done.

11:17:24AM 25 MR. BELL: We will keep talking.

11:17:28AM 1 THE COURT: Rubris. What's the status there?

11:17:31AM 2 MR. CARPENITO: Good morning, Your Honor.

11:17:32AM 3 Joshua Carpenito for the United States. The Court may recall
11:17:35AM 4 at the last hearing there was a discussion between the
11:17:37AM 5 parties for the United States to potentially help PLG with
11:17:41AM 6 their obligation to reach out to these law firms that had
11:17:45AM 7 outstanding Rubris entries.

11:17:48AM 8 Now that offer was made by the United States
11:17:51AM 9 because Plaintiffs indicated that there was only three law
11:17:56AM 10 firms outstanding and that they were having trouble having
11:17:59AM 11 those law firms comply with the Court's Order. So the last
11:18:03AM 12 status conference was on March 5. We reached out to the
11:18:06AM 13 Plaintiffs on March 8. We still don't have an answer
11:18:09AM 14 confirming not only the number of firms but the contact
11:18:12AM 15 information for those firms.

11:18:13AM 16 So as a result, and in the absence of a
11:18:15AM 17 response, the United States undertook its own analysis and
11:18:19AM 18 review of the data. And by our count, as of last Thursday,
11:18:22AM 19 there are 18 law firms that are still outstanding including
11:18:28AM 20 Bell Legal Group.

11:18:29AM 21 As a result, the United States, if these
11:18:30AM 22 deficiencies persist, is considering moving to dismiss those
11:18:35AM 23 cases if these issues cannot be resolved.

11:18:37AM 24 THE COURT: How many are there?

11:18:39AM 25 MR. CARPENITO: In total, 63 deficient entries

11:18:43AM 1 by our count, 26 of which are pro se.

11:18:51AM 2 THE COURT: How many pro se?

11:18:53AM 3 MR. CARPENITO: 26.

11:18:54AM 4 THE COURT: And the deficiencies, remind me, the
11:18:56AM 5 nature of those? Social security number? Full name?

11:18:59AM 6 MR. CARPENITO: Social security number and date
11:19:03AM 7 of birth.

11:19:03AM 8 THE COURT: Mr. Bell, what do you think?

11:19:07AM 9 MR. BELL: Our analysis shows, Your Honor, that
11:19:09AM 10 there are some people in some of those firms that haven't
11:19:12AM 11 responded but there's been a reason given why they haven't
11:19:16AM 12 responded.

11:19:17AM 13 It's my understanding -- and I have not been
11:19:19AM 14 directly involved in that -- there are three firms who just
11:19:22AM 15 won't respond. I thought we turned those over. I will make
11:19:26AM 16 sure that happens immediately.

11:19:27AM 17 THE COURT: And again, these are not folks --
11:19:30AM 18 these are folks who have gone through the administrative
11:19:33AM 19 process and have now filed suit in this court; is that
11:19:36AM 20 correct?

11:19:36AM 21 MR. CARPENITO: That is correct.

11:19:38AM 22 MR. BELL: No, sir. There are some that haven't
11:19:40AM 23 filed suit and they are part of the draw; right?

11:19:44AM 24 MR. CARPENITO: Your Honor, if I may, the
11:19:45AM 25 Court's Order refers specifically to individuals who have

11:19:48AM 1 filed a short form complaint.

11:19:52AM 2 THE COURT: What can the Court do about those
11:19:55AM 3 that aren't here yet? Anything?

11:19:57AM 4 MR. CARPENITO: I would agree with that. But
11:20:00AM 5 again, this order refers to individuals who have filed suit.

11:20:05AM 6 MR. BELL: We will meet and confer on that,
11:20:06AM 7 Judge. I am confused on really what, again, I haven't been
11:20:14AM 8 involved directly in the Rubris discussions. We will get
11:20:20AM 9 back with the Court.

11:20:21AM 10 THE COURT: Thank you.

11:20:22AM 11 MR. CARPENITO: Thank you, Your Honor.

11:20:22AM 12 THE COURT: Okay. Anything else?

11:20:25AM 13 MR. BELL: Nothing from the Plaintiffs, Your
11:20:27AM 14 Honor.

11:20:27AM 15 THE COURT: Mr. Bain?

11:20:28AM 16 MR. BAIN: We do want to give an update on the
11:20:31AM 17 status of the Muster Rolls, let you know where we are on that
11:20:35AM 18 with the Court's indulgence, Your Honor.

11:20:38AM 19 THE COURT: Ms. Mirsky, how are you?

11:20:41AM 20 MS. MIRSKY: I'm well. How are you? And I
11:20:43AM 21 understand I am taking a risk by bringing this up but I do
11:20:47AM 22 have good news. So thank you for allowing this update. So
11:20:51AM 23 the Marine Corps anticipates that the scanned documents will
11:20:56AM 24 be uploaded to the repository by the end of April.

11:21:00AM 25 Following that, DOJ will use a custom automated

11:21:04AM 1 scripting plan that will create pdf files with Bates stamps
11:21:10AM 2 endorsed on each page. OCR will be attached to each pdf and
11:21:14AM 3 the original file name will be produced along with that pdf
11:21:20AM 4 along with an index that matches up the file name with the
11:21:22AM 5 Bates range for each individual file.

11:21:24AM 6 The Plaintiffs have agreed to this course of
11:21:27AM 7 production. Given the size of the production, DOJ will be
11:21:31AM 8 producing these records by hard drives on a rolling basis.
11:21:34AM 9 We anticipate to start productions about three weeks after
11:21:37AM 10 the uploading process is complete, and the entire production
11:21:42AM 11 we are hoping will be completed within five weeks of that.

11:21:46AM 12 The productions will be made pursuant to the
11:21:49AM 13 parties' prior agreement to an interim framework through
11:21:53AM 14 which PLG will be permitted limited access to the digitized
11:21:58AM 15 records solely for the purpose of assessing the nature and
11:22:01AM 16 utility of the data.

11:22:02AM 17 And these productions will only be accessible to
11:22:05AM 18 appointed members of PLG and the PLG committee members who
11:22:10AM 19 sign Exhibit A which is a certification to the third amended
11:22:13AM 20 protective order.

11:22:14AM 21 PLG has stated that they will be submitting
11:22:17AM 22 those signed certifications to DOJ today. We need those
11:22:21AM 23 signed certifications before we can begin this production in
11:22:24AM 24 the future.

11:22:25AM 25 And following the completion of the productions

11:22:28AM 1 and PLG's review of the materials and assessment of their
11:22:32AM 2 utility, the parties will discuss any potential use of these
11:22:35AM 3 records within or outside of litigation. But the United
11:22:39AM 4 States does not agree to any such use at this time. So we
11:22:43AM 5 are all in agreement on the next steps for the Muster Rolls.

11:22:48AM 6 THE COURT: End of April is when they will be
11:22:50AM 7 uploaded?

11:22:51AM 8 MS. MIRSKY: That's correct.

11:22:52AM 9 THE COURT: You said there was a time. There
11:22:53AM 10 was a deadline you set after that?

11:22:55AM 11 MS. MIRSKY: I am hoping that the productions
11:22:57AM 12 will begin approximately three weeks after that and the
11:23:01AM 13 productions will be completed within five weeks.

11:23:04AM 14 THE COURT: So --

11:23:05AM 15 MS. MIRSKY: Mid to late June would be my hope,
11:23:12AM 16 and we will, of course, provide any updates if there is an
11:23:14AM 17 issue along the way.

11:23:15AM 18 THE COURT: And the Muster Rolls, the relevance
11:23:17AM 19 of the Muster Rolls is? Fill in the blank.

11:23:25AM 20 MS. WALLACE: Your Honor, they do provide
11:23:26AM 21 information.

11:23:27AM 22 THE COURT: Who was where and when?

11:23:30AM 23 MS. WALLACE: Not for everyone but yes, sir,
11:23:33AM 24 generally. We were not -- we requested to be allowed to look
11:23:38AM 25 at a sample of what they are producing before we agreed and

11:23:44AM 1 they are produced. We have not seen that sample.

11:23:46AM 2 However, what she just described is accurate.

11:23:50AM 3 But once we get them, we did leave it open for further

11:23:54AM 4 discussions on a number of issues including who would have

11:23:58AM 5 access to it ultimately.

11:24:01AM 6 MS. MIRSKY: That's correct. The United States

11:24:02AM 7 maintains that this information is available through other

11:24:05AM 8 sources. And as we have talked about before, we have

11:24:08AM 9 significant concerns about this information being available

11:24:12AM 10 to a larger audience given that this documentation is the

11:24:17AM 11 result of Marine wide scanning efforts.

11:24:21AM 12 So there are a lot of individuals whose

11:24:23AM 13 information is contained within these records that were never

11:24:26AM 14 at Camp Lejeune. And there is PII including social security

11:24:30AM 15 numbers and other information on the majority of these

11:24:33AM 16 records.

11:24:33AM 17 So that is our current position especially

11:24:37AM 18 considering that other records are available to provide the

11:24:41AM 19 information as to where individuals were and when they were

11:24:44AM 20 at Camp Lejeune.

11:24:45AM 21 THE COURT: And that's the core relevance;

11:24:47AM 22 right? Is that Corporal John Smith was at Hadnot Point at a

11:24:56AM 23 certain date; correct?

11:24:59AM 24 MR. BELL: We think that that's correct, Your

11:25:01AM 25 Honor. Again, not knowing how it's put together. We are

11:25:06AM 1 agreeing that they have indicated they are going to produce
11:25:09AM 2 these in the manner in which they are producing them with the
11:25:13AM 3 understanding that once we get it we get our technology
11:25:17AM 4 people to help with analysis and then we will get back with
11:25:20AM 5 everybody.

11:25:20AM 6 But there's a -- I am sure, in the long run,
11:25:24AM 7 this will work itself out. But the idea of the restrictive
11:25:30AM 8 use of it is something we are concerned about with privacy
11:25:35AM 9 issues. But if we get over those, we don't want those that
11:25:40AM 10 are involved in the litigation part of the case to be
11:25:42AM 11 restricted.

11:25:44AM 12 THE COURT: Just kind of thinking out loud here.
11:25:46AM 13 I guess if this information is in the documents that these
11:25:56AM 14 would have, I would assume, greater relevance for the cases
11:26:01AM 15 that are not in Track 1. Right?

11:26:04AM 16 MR. BELL: That's correct. And for other
11:26:09AM 17 diseases as well which are not in Track 1.

11:26:13AM 18 MS. MIRSKY: I think there's a distinction
11:26:14AM 19 between the proposed use of these records within the
11:26:17AM 20 litigation where the protective order is in place versus any
11:26:23AM 21 other administrative process used where we would say the
11:26:26AM 22 protective order does not apply. So I think that's going to
11:26:29AM 23 be part of the discussion as well.

11:26:31AM 24 THE COURT: Okay. All right. Thank you.
11:26:34AM 25 Anything else?

11:26:35AM 1 MR. BAIN: Yes, Your Honor.

11:26:36AM 2 Mr. Guynn and Mr. Woodward would like to briefly
11:26:39AM 3 address the Court with your permission.

11:26:41AM 4 THE COURT: Yes, sir.

11:26:43AM 5 MR. WOODWARD: Thank you, Your Honor. Thanks
11:26:45AM 6 for having me today. I put in the paperwork to formally
11:26:47AM 7 enter my appearance but it's going through the motions. I've
11:26:51AM 8 got to mail it with a wet signature, so we will get that done
11:26:53AM 9 and I will try to come and see you as often as the Court will
11:26:57AM 10 have us.

11:26:57AM 11 I just wanted to give the Court an update from
11:26:59AM 12 the leadership's perspective on joint resolution of the
11:27:02AM 13 matter. Sir, we are trying and we really appreciate the
11:27:06AM 14 Court's help. I've been working with my colleagues for the
11:27:08AM 15 last few months at the direction of the Deputy Attorney
11:27:12AM 16 General now Acting Attorney General. I look forward to
11:27:14AM 17 working with my colleagues across the aisle to do the same.

11:27:18AM 18 Sir, you won't hear me say that we need the
11:27:21AM 19 Court to rule on an issue to resolve a case. We have all
11:27:24AM 20 been doing this long enough to know that any case can be
11:27:27AM 21 settled. What I would submit, Your Honor, is that lawyers
11:27:32AM 22 need dates, need deadlines, and work much more effectively
11:27:39AM 23 when we have a deadline.

11:27:40AM 24 I have heard my colleagues argue with you today.
11:27:43AM 25 I've heard my colleagues across the aisle -- maybe not argue.

11:27:44AM 1 Debate with you today. I think a lot of that gets resolved
11:27:47AM 2 when we have trial dates because we prioritize what actually
11:27:51AM 3 needs to be decided, and we focus on getting ready to try
11:27:55AM 4 cases. And so I know Your Honor can't set trial dates.

11:27:59AM 5 I would love at the suggestion, I think, of my
11:28:02AM 6 colleague across the aisle to set some sort of pretrial
11:28:06AM 7 conference. Maybe a pre-pretrial conference with the panel.
11:28:10AM 8 I will personally attend. I think that that's the best way
11:28:14AM 9 that we can start moving things forward.

11:28:16AM 10 To my colleague's point, last week I rescinded a
11:28:21AM 11 memo that precluded the settlement of cases that had been
11:28:24AM 12 filed with the Court under the Elective Option. We rescinded
11:28:29AM 13 that. We are going to start looking at those cases so that
11:28:31AM 14 we can start making unsolicited settlement offers in all
11:28:35AM 15 cases.

11:28:35AM 16 THE COURT: Which cases?

11:28:36AM 17 MR. WOODWARD: There was a preexisting memo from
11:28:38AM 18 2023 that precluded DOJ from settling pending litigation, so
11:28:44AM 19 cases that had been filed.

11:28:46AM 20 THE COURT: Cases that have come into the court.

11:28:48AM 21 MR. WOODWARD: That's right, under the Elective
11:28:50AM 22 Option. The idea in '23 is that we were looking to
11:28:53AM 23 incentivize folks from not filing lawsuits so we could cabin
11:28:57AM 24 the total picture. But it's been 3 years.

11:29:00AM 25 And so I've asked the team to look at those

11:29:03AM 1 cases that have been filed to see whether a settlement offer
11:29:06AM 2 can be made in those cases consistent with the Elective
11:29:10AM 3 Option in all of the administrative cases.

11:29:12AM 4 But I've got 70 some cases where we don't have a
11:29:17AM 5 social security number and we don't have a date of birth.
11:29:18AM 6 Our team can't make a recommendation about whether to settle
11:29:22AM 7 those cases without being able to pull basic information from
11:29:26AM 8 the databases. Outside the court --

11:29:28AM 9 THE COURT: Do you have an idea of why you don't
11:29:32AM 10 have that information?

11:29:33AM 11 MR. WOODWARD: As I understand it, it was
11:29:34AM 12 required to be filed with the Court and has not been filed.
11:29:39AM 13 And what was the term of art that we were --

11:29:42AM 14 MR. CARPENITO: If I may, Your Honor, my
11:29:44AM 15 understanding is that Plaintiffs were having a difficult time
11:29:46AM 16 having the non-PLG firms comply with the Court's Order.

11:29:51AM 17 THE COURT: Well, what a great incentive then is
11:29:57AM 18 to move these cases to an end.

11:29:59AM 19 MR. WOODWARD: And so there are cases like that.
11:30:01AM 20 But I would be remiss. I understand I am working with my
11:30:05AM 21 colleagues across the aisle about identifying some of these
11:30:07AM 22 administrative cases that may not have merit. But I couldn't
11:30:10AM 23 in good conscience simply work on dismissing cases, getting
11:30:14AM 24 cases out without also settling cases. And I have a genuine
11:30:19AM 25 incentive and desire to settle those cases that are the most

11:30:23AM 1 meritorious.

11:30:23AM 2 So again, I will keep coming down to see the
11:30:26AM 3 Court. I also rescinded my predecessor's memo that delegated
11:30:32AM 4 settlement authority. I am doing all of that. I've
11:30:37AM 5 personally signed off on over a thousand offers of settlement
11:30:39AM 6 in the administrative claims totaling something like over 300
11:30:43AM 7 million dollars. But a thousand, as you know, really barely
11:30:50AM 8 scratches the surface of these. So I would like to work both
11:30:52AM 9 with my team and with my colleagues across the aisle to start
11:30:58AM 10 identifying larger buckets of these.

11:31:00AM 11 I won't go back on my word. I don't need the
11:31:00AM 12 Court to decide certain issues. What I do need is for the
11:31:03AM 13 Court's help in moving things along. If we set trial dates,
11:31:07AM 14 we will get there. We will have to put witnesses in the box
11:31:10AM 15 and start examining and prioritizing the issues that are
11:31:15AM 16 truly of paramount importance in resolving this litigation
11:31:19AM 17 for such an important part of the public and the population
11:31:23AM 18 at Camp Lejeune.

11:31:25AM 19 THE COURT: Well, thank you. Thank you for
11:31:26AM 20 being here and for that update. Appreciate it. Okay.
11:31:35AM 21 Anything else?

11:31:38AM 22 MR. BELL: No, Your Honor.

11:31:40AM 23 MR. BAIN: No, Your Honor.

11:31:41AM 24 THE COURT: It's usually at this point in the
11:31:42AM 25 proceedings where we hear about folks' travel plans. I am

11:31:56AM 1 available looks like May the 4th, 5th, 15th, and 18th through
11:32:04AM 2 20th.

11:32:10AM 3 MR. BAIN: I think we can make those dates work.
11:32:12AM 4 I think maybe if it were May 18th to 20th we may have more to
11:32:17AM 5 discuss.

11:32:17AM 6 THE COURT: Right. Right.

11:32:19AM 7 MR. BAIN: So May 18, that Monday would be good.

11:32:37AM 8 MR. BELL: Judge, we have law school graduation
11:32:39AM 9 on the 16th, so the 18th would be fine. It would be great.

11:32:43AM 10 THE COURT: All right. Let's set our next
11:32:46AM 11 conference for Monday, May 18 at 11:00 a.m. Thank you very
11:32:57AM 12 much.

11:33:06AM 13 (The status conference concluded at 11:33 a.m.)

14

15 C E R T I F I C A T I O N

16

17 I certify that the foregoing is a correct
18 transcript from the record of proceedings in the
19 above-entitled matter.

20

21 /s/ Bobbie J. Shanfelder

22 Bobbie J. Shanfelder, RDR, CRR

23 Official Court Reporter

24 Date: April 21, 2026

25