

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

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IN RE:

Case Number 7:23-CV-897

CAMP LEJEUNE WATER LITIGATION

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JUNE 22, 2026  
STATUS CONFERENCE  
BEFORE THE HONORABLE ROBERT B. JONES, JR.  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

On Behalf of the Plaintiffs:

A. Charles Ellis, Esquire  
J. Edward Bell, III, Esquire (Via Telephone)  
Jim Roberts, Esquire  
Eric Flynn, Esquire  
Jenna Butler, Esquire  
Mona Lisa Wallace, Esquire  
Hugh R. Overholt, Esquire (Via Telephone)  
Robin Greenwald, Esquire (Via Telephone)

On Behalf of the Defendant:

J. Adam Bain, Esquire  
Joshua Carpenito, Esquire  
Jonathan Gynn, Esquire  
John Adams, Esquire  
Sara Mirsky, Esquire (Via Telephone)

Bobbie J. Shanfelder, RDR, CRR  
Official Court Reporter  
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10:50:22AM 1 (Monday, June 22, 2026 at 11:00 a.m.)

11:05:05AM 2 THE COURT: Good morning, everyone. Who is  
11:05:11AM 3 speaking on behalf of the Plaintiffs?

11:05:15AM 4 MR. BELL: Your Honor, this is Ed Bell. I am  
11:05:17AM 5 here today telephonically, but we have three attorneys that  
11:05:21AM 6 are there in person.

11:05:24AM 7 THE COURT: Okay. What do you all have to tell  
11:05:27AM 8 the Court?

11:05:31AM 9 MR. BELL: Judge, there isn't much to go over  
11:05:35AM 10 that's different than our status report. I spoke to Mr. Bain  
11:05:39AM 11 last week about conflicts. And other than an issue that the  
11:05:47AM 12 Government wants to take up in chambers, we didn't come up  
11:05:52AM 13 with anything that was going to be outside of the status  
11:05:56AM 14 report.

11:05:56AM 15 THE COURT: That's the administrative issue  
11:05:58AM 16 referred to; is that right?

11:06:01AM 17 MR. BAIN: Yes, Your Honor.

11:06:04AM 18 THE COURT: All right. Mr. Ellis, anything?

11:06:07AM 19 MR. ELLIS: Your Honor, we do have an update  
11:06:10AM 20 beyond what's in the status report about the Rubris responses  
11:06:15AM 21 the identifier information. And with respect to the pro ses,  
11:06:19AM 22 that is down to nine total. And I will say as a caveat to  
11:06:25AM 23 that, Your Honor, over the last several months there was a  
11:06:29AM 24 large number of pro ses who had not responded. We had  
11:06:34AM 25 reached out weekly, biweekly, and then weekly. That number

11:06:38AM 1 came down to four. And there were five -- the nine, what  
11:06:46AM 2 constitutes the nine is there were five that were just  
11:06:49AM 3 identified in May. So we have followed up as soon as we  
11:06:53AM 4 became aware of those. We followed up with those pro ses.  
11:06:58AM 5 So four older ones still working on those. Five brand new  
11:07:04AM 6 and we have sent letters to them. And I anticipate that a  
11:07:09AM 7 good number of that nine will be whittled down. Most of the  
11:07:14AM 8 ones that were referenced earlier as not having responded is  
11:07:16AM 9 now represented. Five or six represented by counsel now.  
11:07:20AM 10 There have been two or three who have deceased. One has  
11:07:22AM 11 indicated to us they are filing a dismissal. They are not  
11:07:26AM 12 going to continue. The other two that I can think of don't  
11:07:32AM 13 have a next of kin identified. And the team has looked,  
11:07:36AM 14 searched, can't find who the next of kin would be for either  
11:07:40AM 15 of them. They are not included in the nine obviously but  
11:07:43AM 16 there are nine actives that we can still pursue.

11:07:47AM 17 THE COURT: How are you all communicating with  
11:07:49AM 18 pro se Plaintiffs?

11:07:53AM 19 MR. ELLIS: Mail. If they don't have email.  
11:07:56AM 20 Some of them don't have email. So the updates that we send  
11:07:59AM 21 after the end of every status conference and at the end of  
11:08:02AM 22 every week with filings because they don't have access to  
11:08:04AM 23 those, we mail to those pro ses who have no email. We email  
11:08:10AM 24 to those pro ses who have an email. I will also add that in  
11:08:14AM 25 addition to the pro ses, I think there are 19; is that right,

11:08:19AM 1 Eric? Plaintiffs represented by Plaintiff's counsel who have  
11:08:24AM 2 not yet responded with the identifier information but we are  
11:08:27AM 3 working on that. And all counsel have been communicated with  
11:08:33AM 4 and all of them, I think, said that they are going to be  
11:08:36AM 5 submitting it. It's just the paralegal administrative issues  
11:08:39AM 6 and paralegals are doing it and didn't understand the  
11:08:43AM 7 significance of getting it done. So we really don't  
11:08:47AM 8 anticipate it's going to be a problem getting that 19 down.  
11:08:49AM 9 But we are reaching out to them regularly as well, Plaintiff  
11:08:53AM 10 counsel with regard to it.

11:08:54AM 11 THE COURT: These are all stayed; right?

11:08:55AM 12 MR. ELLIS: Yes, Your Honor.

11:08:58AM 13 THE COURT: Anything else?

11:08:59AM 14 MR. ELLIS: Not from the Rubris standpoint. I  
11:09:01AM 15 think Ed covered everything else. Everything is as it is in  
11:09:06AM 16 the status report. There are no updates since last week when  
11:09:10AM 17 we filed that.

11:09:12AM 18 THE COURT: All right. Mr. Roberts, you are at  
11:09:14AM 19 counsel table. Do you have anything?

11:09:16AM 20 MR. ROBERTS: Not at this time, Your Honor.

11:09:18AM 21 THE COURT: Mr. Bain?

11:09:20AM 22 MR. BAIN: Yes, Your Honor.

11:09:21AM 23 I'd like Mr. Carpenito to address the Rubris  
11:09:23AM 24 issue and then give the Court an update on where we are on  
11:09:26AM 25 the Muster Rolls.

11:09:28AM 1 THE COURT: Of course.

11:09:30AM 2 MR. CARPENITO: Good morning, Your Honor.

11:09:31AM 3 THE COURT: Good morning.

11:09:33AM 4 MR. CARPENITO: As you recall, we originally

11:09:34AM 5 raised this Rubris issue in October of 2025. We fully

11:09:39AM 6 recognize that Plaintiffs have made substantial progress. We

11:09:43AM 7 sent them on June 11 a proposal which we believe is going to

11:09:47AM 8 be a workable solution. The reality of this, Your Honor, is

11:09:53AM 9 that these numbers are going to continue to fluctuate as

11:09:56AM 10 claims move through the administrative claims process.

11:09:59AM 11 THE COURT: These are claims that are going

11:10:01AM 12 through an administrative process and are now coming into the

11:10:06AM 13 court; right?

11:10:06AM 14 MR. CARPENITO: That is correct. These are

11:10:08AM 15 individuals who have filed short form complaints so in line

11:10:11AM 16 with that --

11:10:12AM 17 THE COURT: So in the administrative process,

11:10:15AM 18 are they including the missing information in the

11:10:19AM 19 administrative process?

11:10:21AM 20 MR. CARPENITO: I do not believe they are, Your

11:10:22AM 21 Honor, which is one of the reasons that we had to ask for it.

11:10:25AM 22 And in the Court's Order, the Court recognized that one of

11:10:28AM 23 the reasons that the United States was seeking this

11:10:30AM 24 information was not only to obtain the records but to select

11:10:33AM 25 future disease tracks. And so our proposal is that

11:10:39AM 1 Plaintiffs will have a number of time to identify the  
11:10:44AM 2 remaining deficient entries and then at which the United  
11:10:47AM 3 States would file a motion to dismiss. Now the Court's Order  
11:10:50AM 4 gave these individuals who had already filed short form  
11:10:53AM 5 complaints 20 days to comply with that Order. And so in  
11:10:58AM 6 response to PLG's point that some of these entries are  
11:11:02AM 7 deficient as recent as May, that is still outside of the  
11:11:06AM 8 20-day directive originally provided by the Court. All of  
11:11:10AM 9 that is to say, Your Honor, we sent this proposal on June 11  
11:11:13AM 10 to the Plaintiffs and we look forward to receiving their  
11:11:16AM 11 position in writing.

11:11:17AM 12 THE COURT: All right. Why is this information  
11:11:19AM 13 needed? Maybe it's self-evident but why is this information  
11:11:24AM 14 needed in a stayed case?

11:11:25AM 15 MR. CARPENITO: Because we cannot begin to  
11:11:27AM 16 obtain records for individuals. If the parties need to move  
11:11:31AM 17 forward in additional tracks, we want to ensure that we are  
11:11:34AM 18 in a position to do that productively and essentially not --

11:11:37AM 19 THE COURT: Playing the devil's advocate. We  
11:11:41AM 20 are not really doing anything in other tracks right now;  
11:11:42AM 21 right? They are stayed.

11:11:44AM 22 MR. CARPENITO: But there is a Court Order that  
11:11:46AM 23 requires this information for individuals.

11:11:48AM 24 THE COURT: Okay.

11:11:50AM 25 MR. CARPENITO: We will wait to hear for their

11:11:51AM 1 response and discuss with them accordingly, Your Honor.

11:11:55AM 2 THE COURT: All right. Mr. Flynn?

11:11:57AM 3 MR. FLYNN: Your Honor, I guess in your line of  
11:12:00AM 4 thinking --

11:12:01AM 5 THE COURT: Well, this is a Court Order. There  
11:12:04AM 6 was a line of thinking that went into that Court Order.

11:12:08AM 7 MR. FLYNN: There is, Your Honor, and we have  
11:12:09AM 8 talked to these folks. And with respect to the counsel --

11:12:12AM 9 THE COURT: This is the second step in  
11:12:14AM 10 submitting a claim to the Federal Government against the  
11:12:19AM 11 Federal Government for a Federal Government process. They  
11:12:23AM 12 should not be a surprise --

11:12:25AM 13 MR. FLYNN: No.

11:12:26AM 14 THE COURT: -- that when you sue the Federal  
11:12:28AM 15 Government after having gone through administrative process  
11:12:32AM 16 that your social security number and your date of birth are  
11:12:35AM 17 probably more helpful than your actual name in getting  
11:12:39AM 18 documents.

11:12:41AM 19 MR. FLYNN: Understood, Your Honor. So few  
11:12:43AM 20 things. Some of these folks don't have social security  
11:12:46AM 21 numbers. They were never issued them. I am happy to provide  
11:12:50AM 22 Mr. Carpenito with the names of those people as well as the  
11:12:53AM 23 letters that we have that indicate that they don't have  
11:12:57AM 24 socials. That should be forthcoming.

11:12:59AM 25 THE COURT: So that would weed out -- you would

11:13:03AM 1 still have, I guess, maybe not, their date of birth.

11:13:08AM 2 MR. FLYNN: Yes, Your Honor. So some people --

11:13:09AM 3 THE COURT: We all have those.

11:13:11AM 4 MR. FLYNN: We do. Socials. Some people are  
11:13:15AM 5 missing DOBs. Some people are missing both. Some folks  
11:13:20AM 6 don't have socials. Never issued one. There's another  
11:13:24AM 7 client that died as an infant so never issued one. So I  
11:13:28AM 8 think there are those and those people don't have missing  
11:13:31AM 9 DOBs so I think that's fair.

11:13:33AM 10 Some of the other issues that we have come  
11:13:35AM 11 across is counsel thought they had entered them into Rubris  
11:13:39AM 12 which they had but there's a separate part of Rubris for the  
11:13:42AM 13 short form complaints. Didn't realize they had to be in both  
11:13:45AM 14 sections. So moving that.

11:13:51AM 15 Your Honor, I don't know that it's fully -- I  
11:13:53AM 16 don't know that I grasp what Mr. Carpenito is saying  
11:13:55AM 17 completely about fluctuating because if it's fluctuating with  
11:14:01AM 18 a static June 26 deadline doesn't really do anything. Maybe  
11:14:06AM 19 for the people that have been identified in the past, but I  
11:14:09AM 20 don't know what that does for future cases.

11:14:12AM 21 The other thing, Your Honor, is to your point  
11:14:16AM 22 Track 2 has been set. The Court has not invited Track 3.  
11:14:22AM 23 Track 2 has not progressed further than filing cases. I  
11:14:29AM 24 don't know and maybe Mr. Carpenito knows how many of the  
11:14:31AM 25 people that filed in court that have deficient socials or

11:14:35AM 1 DOBs are even eligible for Track 2 because they have a Track  
11:14:41AM 2 2 disease as a primary or how many of those intend to pursue  
11:14:44AM 3 the Track 2 disease as the primary for purposes of the  
11:14:47AM 4 litigation. Assuming that a similar Track 1 order would be  
11:14:51AM 5 entered limiting a person to just recovery for the Track 1  
11:14:55AM 6 disease or Track 2 disease and not subsequent diseases and  
11:14:59AM 7 unless it's related. So there are a lot of orders and  
11:15:04AM 8 procedural milestones that I would think a party would want  
11:15:08AM 9 to know the answer to before embarking on discovery and  
11:15:12AM 10 ordering records.

11:15:13AM 11 THE COURT: How many Plaintiffs fall into this  
11:15:16AM 12 no date of birth or no social security number?

11:15:18AM 13 MR. FLYNN: Off the top of my head, I think it's  
11:15:20AM 14 maybe 14.

11:15:21AM 15 THE COURT: And do we know of those how many  
11:15:25AM 16 would presumably be in Track 2?

11:15:27AM 17 MR. FLYNN: I do not, Your Honor.

11:15:29AM 18 THE COURT: Do you know, Mr. Carpenito?

11:15:31AM 19 MR. CARPENITO: No, sir, I do not.

11:15:33AM 20 MR. FLYNN: With respect to previously I think  
11:15:35AM 21 Mr. Carpenito mentioned or at least he mentioned in his  
11:15:38AM 22 letter the EO process that is now available to people who  
11:15:46AM 23 have filed complaints in court. Well, the DOJ's office has  
11:15:48AM 24 reached out to counsel. They have reached out to our firm  
11:15:51AM 25 for sure with a list of people they would like more

11:15:56AM 1 substantiating information on and gave us a deadline to do  
11:15:58AM 2 it. So we are interfacing with them.

11:16:02AM 3 THE COURT: To recapture those folks and bring  
11:16:05AM 4 them back into EO?

11:16:07AM 5 MR. FLYNN: Different folks, yes, Your Honor.  
11:16:07AM 6 So before, remember, that under the original Elective Option  
11:16:09AM 7 program, once you filed the complaint in court past a certain  
11:16:11AM 8 date, you are out. Now Mr. Woodward issued an order that  
11:16:16AM 9 said, okay, they are back in. So there's a group of folks  
11:16:19AM 10 that we received notice from the DOJ that said you have until  
11:16:24AM 11 X date to give us substantiating documents.

11:16:27AM 12 THE COURT: Do you know how many of those are?

11:16:28AM 13 MR. FLYNN: I think there are nine in our firm.  
11:16:31AM 14 I don't know about the other firms, Your Honor. So the DOJ's  
11:16:34AM 15 office seems to be pretty capable of reaching out to us when  
11:16:38AM 16 they want substantiating information for purposes of  
11:16:41AM 17 evaluating an EO. Our office is looking at them. I'm sure  
11:16:45AM 18 the other offices that have received these are looking at it  
11:16:48AM 19 as well.

11:16:49AM 20 I think the point is, Your Honor, that, yes,  
11:16:52AM 21 it's a Court Order and we should follow Court Orders and I  
11:16:56AM 22 fully agree with that. We are working with them to get them  
11:16:59AM 23 into compliance. Dismissal is rather Draconian and I don't  
11:17:06AM 24 know that the last thing -- that the first thing the Court  
11:17:08AM 25 wants are more motions practice particularly in cases that

11:17:12AM 1 are stayed over issues that don't seem to have any particular  
11:17:17AM 2 relevance to Track 1. May not have relevance to Track 2.  
11:17:22AM 3 Track 3 has not been considered and does not seem to be a bar  
11:17:25AM 4 to EO. So perhaps what we could do is kick this can down the  
11:17:32AM 5 road to the next status conference and see where we are at  
11:17:36AM 6 with our pro ses as Mr. Ellis has ably outlined a pretty good  
11:17:42AM 7 path of going forward. I can represent to you that I have  
11:17:45AM 8 talked to these lawyers and are getting their cooperation.

11:17:50AM 9 THE COURT: Okay. But you are waiting on -- you  
11:17:52AM 10 submitted, Mr. Carpenito, you submitted a proposal over  
11:17:54AM 11 there?

11:17:54AM 12 MR. CARPENITO: That's correct, Your Honor. We  
11:17:56AM 13 asked them to identify the cases that are deficient by June  
11:17:59AM 14 26 at which point they would have 20 days to cure those  
11:18:05AM 15 deficiencies. And if they remain unresolved, we would move  
11:18:08AM 16 to dismiss those cases.

11:18:10AM 17 MR. FLYNN: I can give them the list, Your  
11:18:12AM 18 Honor.

11:18:12AM 19 THE COURT: Sounds good. Anything else?

11:18:13AM 20 MR. FLYNN: No.

11:18:14AM 21 MR. CARPENITO: Your Honor, briefly with respect  
11:18:16AM 22 to the Muster Rolls, there are three hard drives total being  
11:18:20AM 23 produced.

11:18:21AM 24 THE COURT: One is forthcoming.

11:18:23AM 25 MR. CARPENITO: That's correct. One remaining.

11:18:25AM 1 THE COURT: Anything else?

11:18:25AM 2 MR. BAIN: Your Honor, to give you an update, we  
11:18:27AM 3 mentioned at the last status conference the Hadnot Point  
11:18:31AM 4 Treatment Plant, and we conferred with that. And the  
11:18:34AM 5 Plaintiffs decided not to oppose that while reserving their  
11:18:37AM 6 rights with respect to information that is being preserved  
11:18:41AM 7 from that building. So the Marine Corp is going forward with  
11:18:44AM 8 that.

11:18:44AM 9 There is an outstanding Court Order the parties  
11:18:46AM 10 are working to implement. The parties have been meeting and  
11:18:50AM 11 conferring on that. A filing is due on Friday. I don't  
11:18:54AM 12 think we are going to be able to reach an agreement, so we  
11:18:57AM 13 will probably be setting forth our respective positions in  
11:19:01AM 14 the filing that we do this coming Friday.

11:19:04AM 15 THE COURT: That's in response to the Order that  
11:19:08AM 16 Chief Judge Myers, Judge Boyle, and Judge Dever entered.

11:19:13AM 17 MR. BAIN: Yes. On expert testimony. And then  
11:19:16AM 18 unless the Court has anything else pressing, I wanted to  
11:19:19AM 19 introduce we have John Adams from the Associate Attorney  
11:19:23AM 20 General's Office here today for Mr. Woodward and we also have  
11:19:30AM 21 Jon Guynn who is the Deputy Assistant Attorney General for  
11:19:31AM 22 the Court's branch. He would like to briefly address the  
11:19:34AM 23 Court if the Court is amenable to that.

11:19:36AM 24 THE COURT: Of course. Good morning.

11:19:38AM 25 MR. GUYNN: Good morning. Your Honor, I wanted

11:19:39AM 1 to just share a couple of thoughts from the Department of  
11:19:43AM 2 Justice's senior leadership. After you were so generous with  
11:19:48AM 3 your time a couple months ago in hearing from Mr. Woodward, I  
11:19:53AM 4 see you requested pretrial conferences regarding the Track 1  
11:19:57AM 5 cases.

11:19:57AM 6 First off, we think it's important for the  
11:20:00AM 7 senior leadership to be a little bit more involved in some of  
11:20:05AM 8 the messaging and handling of these cases because there's a  
11:20:07AM 9 lot of narratives, Your Honor, I'm sure you are familiar with  
11:20:10AM 10 about how the Federal Government, both the Court and the  
11:20:14AM 11 Department of Justice, are handling these cases and how  
11:20:17AM 12 veterans are being treated. In particular, these cases  
11:20:22AM 13 aren't moving fast enough and these cases are being handled  
11:20:25AM 14 in a way that doesn't respect veterans and is leaving them to  
11:20:30AM 15 languish. Neither of those are true, of course, Your Honor.

11:20:33AM 16 So on the first point, the Department of Justice  
11:20:36AM 17 wants to just first and foremost thank the Court for its  
11:20:39AM 18 careful attention to these cases. The Court has been very  
11:20:45AM 19 cognizant of the importance of interpreting the statute with  
11:20:49AM 20 precision so that whatever the outcome of these cases  
11:20:52AM 21 ultimately is it's faithful to the law that Congress passed  
11:20:56AM 22 and enacted.

11:20:57AM 23 And we are also grateful for the schedule that  
11:20:59AM 24 this Court very thoughtfully developed and designed and has  
11:21:06AM 25 implemented and has enforced on the parties which has enabled

11:21:09AM 1 the Court to always take an approach that enables as many of  
11:21:17AM 2 the critical universal issues to be handled at once to  
11:21:21AM 3 efficiently use time and court resources.

11:21:25AM 4 In terms of moving the cases along fast enough,  
11:21:27AM 5 we think it's just important to emphasize again to the Court  
11:21:30AM 6 as it's thinking about how to move forward in the coming  
11:21:34AM 7 months and year that ultimately it was Plaintiffs and their  
11:21:37AM 8 counsel who asked Congress for a tort cause of action, not a  
11:21:41AM 9 compensation scheme. And this Court has designed a schedule  
11:21:46AM 10 so that these tort causes of action could be efficiently and  
11:21:51AM 11 effectively adjudicated.

11:21:53AM 12 And as I mentioned before, the Court designed an  
11:21:56AM 13 aggressive but fair set of deadlines and a track scheme which  
11:22:00AM 14 the parties have worked hard to meet. We've requested  
11:22:04AM 15 reasonable extensions. So did Plaintiffs. But we think both  
11:22:07AM 16 sides have been faithful in trying to do what the Court asked  
11:22:12AM 17 us to do.

11:22:13AM 18 And this is a massive case. This is the biggest  
11:22:16AM 19 liability on the United States' balance sheet. But we are --  
11:22:21AM 20 the face value of these claims, Your Honor, as I am sure you  
11:22:23AM 21 are aware, is over 330 trillion dollars. So the Department  
11:22:28AM 22 of Justice just wants to articulate its gratitude for the  
11:22:32AM 23 careful approach the Court has taken to move these along  
11:22:34AM 24 quickly but appropriately.

11:22:36AM 25 In terms of respecting our veterans, the men and

11:22:41AM 1 women who served our country, Your Honor, of course the  
11:22:44AM 2 Government continues to provide medical care and benefits and  
11:22:48AM 3 to provide for any other needs of them and their families.

11:22:52AM 4 In terms of this case, Your Honor, I think that  
11:22:55AM 5 you see the stats but I just think it would be helpful to  
11:22:59AM 6 articulate again over 740 million dollars have been paid to  
11:23:04AM 7 settle Camp Lejeune Justice Act claims. I don't know about  
11:23:08AM 8 you, but where I am from that's a lot of money. And nearly 1  
11:23:13AM 9 billion dollars has been offered to settle the claims, and  
11:23:16AM 10 many of those offers are still outstanding.

11:23:19AM 11 I think that the record shows that this Court  
11:23:22AM 12 and the Department of Justice in partnership with Plaintiffs  
11:23:25AM 13 across the aisle, we have worked hard to move one of the most  
11:23:29AM 14 consequential pieces of litigation forward efficiently  
11:23:33AM 15 notwithstanding whatever the reporting is from naysayers.

11:23:39AM 16 And so we have just looking ahead we also wanted  
11:23:43AM 17 to just briefly thank the Court. And I can't say that I am  
11:23:48AM 18 speaking for Plaintiffs but they are very gracious so maybe I  
11:23:51AM 19 am, but to thank the Court for recent steps the Court has  
11:23:54AM 20 taken to help signal value in these cases which the parties  
11:23:58AM 21 so desperately need to resolve as many cases as quickly as we  
11:24:06AM 22 can. And I am referring specifically to the recent ruling on  
11:24:09AM 23 offsets, and I am also referring to the recent rulings on the  
11:24:13AM 24 at-least-as-likely-as-not standard and how it applies to  
11:24:16AM 25 expert testimony.

11:24:17AM 1 And looking forward, Your Honor, we think that  
11:24:19AM 2 there's some other pending motions that if were resolved  
11:24:23AM 3 would signal value and would help the parties more  
11:24:25AM 4 effectively negotiate even more resolutions more quickly.  
11:24:29AM 5 And that might be there's a pending motion on what the  
11:24:32AM 6 causation standard is for experts. Is it but-for or is it  
11:24:37AM 7 substantially contributing factor or is it something else.

11:24:40AM 8 There's a pending motion on whether the loss of  
11:24:44AM 9 consortium claims are cognizable. There's a pending motion  
11:24:48AM 10 on when these Camp Lejeune Justice Act claims accrue and what  
11:24:51AM 11 happens if somebody is diagnosed with a disease or gets sick  
11:24:54AM 12 after the enactment of the law.

11:24:56AM 13 So those are just a few, Your Honor, that we  
11:24:58AM 14 think issues that if they are resolved would help the  
11:25:03AM 15 bellwether cases not just be more trial ready but would help  
11:25:07AM 16 the parties have what they need to be more effective in their  
11:25:10AM 17 settlement negotiations.

11:25:12AM 18 And on that point, Your Honor, I just want to  
11:25:13AM 19 underscore the same message that Associate Attorney General  
11:25:17AM 20 Woodward shared with you when he was here and that is to  
11:25:20AM 21 request, again, pretrial conferences on all of the Track 1  
11:25:24AM 22 cases.

11:25:27AM 23 We think that pretrial conferences would help  
11:25:29AM 24 the parties know exactly what is needed to help make those  
11:25:33AM 25 cases trial ready and that we think would be a really

11:25:37AM 1 important step to put these claims and these cases in the  
11:25:40AM 2 past for the Plaintiffs and for the United States. And I am  
11:25:46AM 3 happy to answer any questions you have, Your Honor.

11:25:49AM 4 THE COURT: Thank you for your input. Anything  
11:25:51AM 5 else from the Government?

11:25:54AM 6 MR. BAIN: No, Your Honor. Thank you.

11:25:55AM 7 THE COURT: Did you want to take up that  
11:25:58AM 8 administrative issue in chambers?

11:26:00AM 9 MR. BAIN: Yes. We can do that very briefly,  
11:26:03AM 10 Your Honor. I don't think it will take much time.

11:26:06AM 11 THE COURT: Plaintiffs want to say anything?

11:26:09AM 12 MR. ELLIS: No, Your Honor. Thank you.

11:26:13AM 13 THE COURT: When should we meet next? Here July  
11:26:26AM 14 6th is a court holiday. The rest of that week is open.

11:26:33AM 15 MR. BAIN: Your Honor, since it doesn't appear  
11:26:35AM 16 there's a lot of issues to address, we would suggest perhaps  
11:26:39AM 17 the last two weeks of July in which our schedules are pretty  
11:26:42AM 18 open on the Government's side.

11:26:44AM 19 THE COURT: Mr. Ellis, what do you all think?

11:26:45AM 20 MR. ELLIS: Well, I would hope if Ed is still  
11:26:49AM 21 there, I would like him to weigh in.

11:26:53AM 22 MR. BELL: Anytime suits us. I probably think  
11:26:55AM 23 that the longer break between instead of two weeks because we  
11:27:01AM 24 are getting to the finality of some of these issues and  
11:27:04AM 25 there's not a lot to go over. I would comment, Your Honor,

11:27:08AM 1 that due to the confidentiality of the ongoing settlement  
11:27:18AM 2 negotiations, it's hard for us to comment about DOJ's  
11:27:23AM 3 presentation just made to the Court.

11:27:25AM 4 THE COURT: I understand.

11:27:27AM 5 MR. BELL: We don't necessarily agree that their  
11:27:29AM 6 positions are correct.

11:27:30AM 7 THE COURT: I understand. How about the 20th of  
11:27:34AM 8 July? That's a Monday.

11:27:38AM 9 MR. BAIN: That's good for the Government, Your  
11:27:40AM 10 Honor.

11:27:40AM 11 THE COURT: Mr. Bell?

11:27:44AM 12 MR. BELL: That's good with us.

11:27:46AM 13 THE COURT: For 11:00 a.m. on July 20th. Okay.  
11:27:51AM 14 Thank you very much.

11:27:53AM 15 (The Status Conference concluded at 11:27 a.m.)

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

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/s/ Bobbie J. Shanfelder

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Bobbie J. Shanfelder, RDR, CRR

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Official Court Reporter

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Date: June 23, 2026