

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

IN RE:)
)
CAMP LEJEUNE WATER LITIGATION) Docket No.
) 7:23-CV-00897-RJ

MONDAY, JULY 20, 2026
TRANSCRIPT OF STATUS CONFERENCE
BEFORE THE HONORABLE ROBERT B. JONES, JR.
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

On Behalf of the Plaintiffs:

J. Edward Bell, Esquire
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On Behalf of the Defendant:

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Monday, July 20, 2026, 11:02 a.m.

P R O C E E D I N G S

THE COURT: Good morning. All right, Mr. Bell, what do you have for us this morning?

MR. BELL: Good morning, Your Honor. You have the status report, Your Honor. I'm not aware of anything, of any controversy going on right now that needs the Court's attention. If you have any questions about issues in the status report or otherwise, I'm glad to answer them, but other than that, Your Honor, I'm not aware of anything.

THE COURT: I did have a question, which is largely, in the way of an explanation, of what is going on regarding the -- I guess the agreement on produced records, the invoices from experts? My concern is one of supplementation.

MR. BELL: Your Honor, the Government has asked us to do something which is not in accordance with the federal rules. We were unable to reach an agreement, and I think we -- we believe that those kinds of supplement -- we're supplementing, of course, under our agreement otherwise, but to do it in another format, we think, would be extra work. And, of course, each judge, when we have our pretrial conference, will set forth when those supplementations are to be done and final.

THE COURT: Okay. But as you said, supplementation is occurring --

MR. BELL: Yes, sir.

11:04:13 1 THE COURT: -- just pursuant to the civil rules?

11:04:16 2 MR. BELL: And I think informally we have both been
11:04:19 3 supplementing our expert billings that we've received. I think
11:04:23 4 everything is up to date on that.

11:04:24 5 MS. GREENWALD: Your Honor, for example, a DPPF
11:04:27 6 update was just served on July 10th.

11:04:30 7 THE COURT: Okay.

11:04:30 8 MS. GREENWALD: But that's ongoing.

11:04:35 9 THE COURT: There was a hard drive that was going to
11:04:38 10 be produced today. What's going on there?

11:04:42 11 MR. BELL: Are you talking about the muster rolls,
11:04:44 12 Your Honor?

11:04:45 13 THE COURT: Is that the muster rolls?

11:04:47 14 MR. BELL: I think they were sent out on Friday,
11:04:49 15 Your Honor. We expect to receive them in today's FedEx or
11:04:51 16 tomorrow.

11:04:51 17 THE COURT: Okay.

11:04:54 18 MR. CARPENITO: Good morning, Your Honor. I can
11:04:54 19 provide a brief update with respect to the muster rolls. The
11:04:55 20 United States sent out a third and fourth hard drive on Friday,
11:04:59 21 which means the production is largely complete.

11:05:05 22 There is one remaining issue. There are 2500 files
11:05:10 23 of the approximately 3 million files that were corrupted in the
11:05:14 24 United States Marine Corp. It just meant we couldn't open
11:05:18 25 them, so we've asked the Marine Corp. to investigate, see if

11:05:21 1 they can get us complete files for those 2500. If so, we will
11:05:25 2 produce those to the PLG.

11:05:32 3 THE COURT: Okay. Anything else?

11:05:35 4 MR. BELL: We were unaware of that until right now,
11:05:39 5 Your Honor. We'll wait to hear from the Government about
11:05:42 6 whether they can produce those files or not, and if not, we'd
11:05:46 7 like to have the ability to try to uncorrupt them, if that's
11:05:52 8 the right term.

11:05:55 9 THE COURT: All right. We'll wait and see, I guess.
11:05:58 10 Mr. Bain.

11:06:02 11 MR. BAIN: Your Honor, on the supplementation issue,
11:06:04 12 yes, we've offered a number of proposals to try to have an
11:06:07 13 orderly supplementation process because this is such a complex
11:06:11 14 case, but the PLG will not agree to those proposals, so we're
11:06:14 15 just going to continue to supplement as --

11:06:19 16 THE COURT: But supplementation is going on, correct?

11:06:23 17 MR. BAIN: In some ways, it is going on, yes. For
11:06:24 18 the invoices it is going on. There hasn't been any
11:06:25 19 supplementation on the plaintiffs' side of any of their
11:06:27 20 materials-considered lists from their experts, of any expert
11:06:30 21 reports, so I'm hoping that it doesn't come at a time right
11:06:35 22 next to trial when we would be prejudiced, but we're continuing
11:06:38 23 to supplement on our side as required as we obtain information.
11:06:43 24 The only other issue to update you on is on the
11:06:47 25 Rubris issue, the Social Securities and date of birth issue,

11:06:51 1 and Mr. Carpenito can speak to that.

11:06:56 2 THE COURT: I think we're down to a handful of cases,
11:06:58 3 right?

11:06:59 4 MR. CARPENITO: That is correct, Your Honor, and
11:07:01 5 we've asked plaintiffs to provide that list by July 16th. We
11:07:01 6 raised this back at the end of October of 2025. We are
11:07:05 7 considering filing motions to dismiss in the individual cases
11:07:10 8 that remain noncompliant with that order.

11:07:13 9 THE COURT: Okay.

11:07:20 10 MR. FLYNN: Good morning, Judge.

11:07:20 11 THE COURT: Good morning.

11:07:20 12 MR. FLYNN: We're down to -- I've talked with
11:07:20 13 Mr. Carpenito. I think we're down to --

11:07:24 14 THE COURT: It was a few, according to the report.

11:07:28 15 MR. FLYNN: We've actually gotten it down further.

11:07:28 16 Mr. Ellis told me today that they are down to four pro se
11:07:35 17 plaintiffs, and we are down to six represented plaintiffs.

11:07:37 18 Again, three of those six are waiting on a FOIA request with
11:07:43 19 Social Security to say they don't have a Social, and three
11:07:45 20 other ones --

11:07:46 21 THE COURT: So some of these folks don't have --

11:07:50 22 MR. FLYNN: That's correct.

11:07:51 23 THE COURT: -- a Social Security number?

11:07:53 24 MR. FLYNN: Yes, Your Honor.

11:07:53 25 THE COURT: Or they do have it but may not know what

11:07:56 1 it is and are waiting a response to their FOIA request?

11:08:01 2 MR. FLYNN: Yes, Your Honor. The ones that don't
11:08:03 3 know are folks that their client or rep has passed or
11:08:05 4 something.

11:08:06 5 THE COURT: It's a relative?

11:08:08 6 MR. FLYNN: Yeah. So they've got -- we've got FOIA
11:08:10 7 requests out to the Social Security Administration. We had
11:08:12 8 four folks that we have previously advised the Government don't
11:08:15 9 have Social Security Administration numbers, or SSN numbers.
11:08:18 10 We've provided FOIA requests. Sometimes it's birth
11:08:21 11 certificates that are blank or sometimes it's death
11:08:23 12 certificates that are blank. I think that indicates they were
11:08:24 13 never issued one. But we're making good progress. We've given
11:08:28 14 the list to the Government and, you know, should have this
11:08:33 15 wrapped up pretty soon. I think the three people that are
11:08:36 16 represented by counsel, it's -- I don't want to say it's a
11:08:41 17 simple matter because it's taking too long, but, you know, it's
11:08:43 18 just a matter of putting people -- putting data from one field
11:08:45 19 into another, and that's just kind of it. It takes a little
11:08:49 20 bit. But for the majority of folks, we're kind of working
11:08:52 21 through it. It should be by the next status conference.

11:08:56 22 THE COURT: Next what?

11:08:58 23 MR. FLYNN: Next status conference I hope to be done
11:08:59 24 with this.

11:08:59 25 THE COURT: Okay.

11:08:59 1 MR. FLYNN: I think going forward, one thing that's
11:09:01 2 interesting is you've not seen the numbers increase, and I
11:09:05 3 think that's because -- I'm waiting for confirmation from
11:09:07 4 Rubris. I think that's because you can't generate a short-form
11:09:11 5 complaint without a Social in there anymore. So, you know, we
11:09:15 6 run the deficiency lists for people who are missing Socials and
11:09:18 7 dates of birth, and the number just keeps going down, which
11:09:21 8 tells me that there's not really an, you know, ongoing issue
11:09:26 9 because short-form complaints continue to be filed, and so it
11:09:29 10 makes me think that there's a guard rail there. I've asked
11:09:31 11 Rubris to confirm whether that guardrail is in place so we
11:09:34 12 don't have to deal with this in the future, and they're getting
11:09:35 13 back to me.

11:09:38 14 THE COURT: Okay. Thank you. Anything else from the
11:09:40 15 Government?

11:09:42 16 MR. CARPENITO: Your Honor, if I may, just two quick
11:09:44 17 points. I'd be interested to hear plaintiffs' position on
11:09:50 18 individuals who were never issued a social. It sounds like
11:09:54 19 what they're saying is those individuals do not have to comply
11:09:57 20 with the Court's order if they --

11:09:58 21 THE COURT: Haven't y'all talked about this --

11:09:58 22 MR. CARPENITO: We have not --

11:09:58 23 THE COURT: -- outside of today?

11:10:01 24 MR. CARPENITO: We haven't addressed that issue yet,
11:10:01 25 Your Honor. And, additionally, the second point is I sent them

11:10:06 1 an alternative proposal of how to deal with this situation in
11:10:08 2 the future. We have not yet heard back, but the hope is,
11:10:10 3 obviously, to be able to come to agreement between the parties
11:10:13 4 and circle back every few months, look at the number of
11:10:15 5 deficient cases, and then offer a cure period.

11:10:18 6 THE COURT: What was the proposal?

11:10:22 7 MR. CARPENITO: It was, I believe, every four to six
11:10:24 8 months to circle back with the PLG, look at the number of
11:10:27 9 noncompliant cases, offer a cure period of 20 days, and then if
11:10:28 10 those cases are noncompliant, move to dismiss.

11:10:31 11 THE COURT: I think that was in the status report,
11:10:33 12 wasn't it?

11:10:34 13 MR. CARPENITO: That's correct, Your Honor.

11:10:35 14 MR. FLYNN: Your Honor, with respect to the
11:10:37 15 previously identified cases that don't have Socials, we
11:10:40 16 actually did a nice rundown and --

11:10:42 17 THE COURT: Can you move up?

11:10:43 18 MR. FLYNN: Yes, sir.

11:10:43 19 THE COURT: I've got an AC vent right here that
11:10:43 20 sounds like I'm behind a 737.

11:10:47 21 MR. FLYNN: Okay. That's not great. Your Honor, we
11:10:51 22 actually described Jerone Laws, which is the case that we had,
11:10:54 23 and detailed out how she was never issued a Social Security
11:10:58 24 number. So we've made -- that was in the status report, so
11:10:59 25 this isn't a new issue.

11:11:03 1 I'm not sure how a person who is dead and was never
11:11:06 2 issued a Social Security number when they were born or while
11:11:11 3 they were alive gets a Social Security number now to put it
11:11:14 4 into a short-form complaint in a case. I don't know that
11:11:19 5 that's an issue of willfully ignoring the court order. They're
11:11:22 6 dead. I don't know that the Social Security Administration
11:11:29 7 issues Social Security numbers for dead people.

11:11:32 8 THE COURT: Well, what happened in the claims
11:11:34 9 process? Don't you need that information for the claims
11:11:35 10 process?

11:11:35 11 MR. FLYNN: Well, I think they filed their -- the
11:11:36 12 client filed -- the rep filed the Social Security
11:11:40 13 Administration for the rep.

11:11:42 14 THE COURT: No, I mean in the Navy. I mean, they get
11:11:44 15 here, they get to the short-form complaint after they've gone
11:11:46 16 through the Navy, correct?

11:11:48 17 MR. FLYNN: I don't think they file the Social
11:11:49 18 Security numbers with the Navy in the thing. I don't know, but
11:11:53 19 there's clearly a process for filing with the Navy. If you
11:11:55 20 look at the five doc- -- five data points that are required
11:11:58 21 under Fourth Circuit law, I don't think the Social Security
11:12:02 22 number is part of that. But needless to say, they were there.
11:12:08 23 They meet all the statutory requirements of the case. They
11:12:11 24 just don't have a Social because the Government didn't issue
11:12:13 25 them, right? So the Government didn't issue automatic Socials

11:12:15 1 until, I believe, 1976, and so there's going to be a large
11:12:21 2 chunk of people that never had one, and it's possible for these
11:12:23 3 folks to go through their lives without getting one,
11:12:26 4 apparently. I'm as surprised as anybody that we don't have
11:12:29 5 Socials for folks, but when you Google the -- or when you FOIA
11:12:35 6 the Social Security Agency, or Administration, you get a
11:12:38 7 response back that says one has never been issued, or there
11:12:42 8 are -- there are no records of any number being issued for this
11:12:45 9 person.

11:12:48 10 THE COURT: What are the circumstances of not being
11:12:51 11 issued a Social Security number?

11:12:53 12 MR. FLYNN: Some of them are when they were born,
11:12:53 13 some folks, apparently, it wasn't an automatic issuance of
11:12:56 14 Social Security numbers back then, and so parents petitioned
11:12:58 15 for them; sometimes they didn't, and -- or one of the clients
11:13:03 16 died relatively young, and so she was never -- he or she -- I
11:13:06 17 can't remember -- was never issued a Social, so you see on the
11:13:08 18 death certificate the Social Security number is blank.
11:13:10 19 Everything else is filled out. Date of birth is there, but the
11:13:12 20 Social Security number is blank.

11:13:13 21 THE COURT: So it's something you petitioned for?

11:13:17 22 MR. FLYNN: I guess back then, it was, yeah. Back
11:13:19 23 then it was, and these folks just didn't have one.

11:13:21 24 THE COURT: Okay.

11:13:21 25 MR. FLYNN: And so we've talked to them and talked to

11:13:26 1 their representatives and we've requested them from the Social
11:13:29 2 Security Administration. There's actually a -- the Social
11:13:31 3 Security Administration has a rather unique partnership with
11:13:35 4 Ancestry.com where you can go into Ancestry's website and look
11:13:39 5 for people who are -- you can't do this for live people, but
11:13:42 6 you can look for people who are deceased and they'll give you
11:13:45 7 the Social Security number for the decedent. So we've looked
11:13:50 8 there. We've, I think, done everything we can to try to find
11:13:52 9 Social Security numbers for these people, but they just weren't
11:13:56 10 issued and, apparently, that's not uncommon. The form that you
11:13:59 11 get from FOIA on SSA has two checkboxes. Either it's there is
11:14:04 12 a file and here it is, or there is no file and that's the
11:14:06 13 answer.

11:14:07 14 THE COURT: So how does the Government -- how are you
11:14:09 15 going to deal with folks who don't have a Social Security
11:14:11 16 number? It doesn't sound like it's a novel issue.

11:14:16 17 MR. CARPENITO: That is something that we would need
11:14:16 18 to discuss internally and eventually, I imagine, meet and
11:14:16 19 confer with the PLG.

11:14:28 20 MR. BELL: Is it mostly dependents?

11:14:28 21 MR. FLYNN: It could be dependents or decedents. I
11:14:28 22 mean, it's just something that we're going to have to work
11:14:32 23 through, right? I mean, there are government records. There
11:14:33 24 are death certificates. There are birth certificates.

11:14:37 25 THE COURT: Is it a large number? Do you know?

11:14:40 1 MR. FLYNN: I don't know. I haven't canvassed. At
11:14:41 2 this point, though, it doesn't seem like it's a -- it seems
11:14:45 3 like they're there, but when you're looking at the short-form
11:14:48 4 complaints, just anecdotal evidence, the number has increased
11:14:55 5 right? So I don't know what the size of the percentage of
11:14:57 6 population is. Maybe the Government can query the Social
11:15:00 7 Security Administration and see -- get more information on when
11:15:04 8 they issued people's death -- or Social Security numbers at
11:15:07 9 birth or what they do with dead people.

11:15:10 10 But, you know, clearly the person was alive. There's
11:15:12 11 a birth certificate, a death certificate. An estate was
11:15:15 12 established in their name so the states don't have a problem
11:15:21 13 recognizing this person, and they were -- they meet -- you
11:15:22 14 know, they meet the qualifications for having lived, so they're
11:15:26 15 there. It's just this one piece of data that was not common
11:15:29 16 back then. It's a unique part of a case that goes back to the
11:15:29 17 '50s, I think.

11:15:36 18 THE COURT: Okay. Well, I guess just try to work it
11:15:39 19 out, and if you feel like you've reached a point where you want
11:15:43 20 to file a motion, then file the motion.

11:15:46 21 MR. CARPENITO: Thank you, Your Honor.

11:15:47 22 THE COURT: Anything else from the Government?

11:15:51 23 MR. BAIN: Nothing else, Your Honor.

11:15:53 24 THE COURT: Okay. Thoughts on next -- I don't have
11:15:57 25 anything other than what I've asked you about. Next meeting,

11:16:06 1 when are y'all available?

11:16:11 2 MR. BELL: We have a meeting in Washington on the
11:16:13 3 30th, which is a joint meeting, I believe. Maybe the second
11:16:25 4 week in August.

11:16:32 5 THE COURT: The week of the 10th is especially not
11:16:36 6 good.

11:16:37 7 MR. BELL: Maybe the following week?

11:16:37 8 THE COURT: I've got availability the week of the
11:16:41 9 3rd, specifically the 5th, which is a Wednesday.

11:16:46 10 MR. BELL: I've got a couple of conflicts I'm unable
11:16:48 11 to get out of in that week, Your Honor.

11:16:51 12 THE COURT: Or Monday, the 17th.

11:16:53 13 MR. BELL: The 17th would be good.

11:16:56 14 THE COURT: Mr. Bain?

11:16:57 15 MR. BAIN: That would be acceptable to the
11:16:59 16 Government, Your Honor.

11:17:00 17 THE COURT: Okay. We'll set it for 11:00 a.m. on
11:17:02 18 8/17.

11:17:03 19 MR. BAIN: Your Honor, if you want the Associate
11:17:06 20 Attorney General here, he cannot be here that day but....

11:17:11 21 THE COURT: Okay. We may change it, but let's pencil
11:17:19 22 it in right now for 8/17. Thank you. Anything else?

11:17:26 23 MR. BELL: No, Your Honor. One little comment on the
11:17:29 24 Social Security. Thinking through how this could happen, well,
11:17:34 25 someone in the early days might have been a spouse who wasn't

11:17:37 1 working, that didn't need a Social Security number, that didn't
11:17:41 2 file -- I mean, I'm just thinking through the scenarios. If
11:17:46 3 they were in military, I assume they would have been given a
11:17:50 4 Social Security number, but we're doing the best we can on it.

11:17:54 5 THE COURT: Well, the point is it's an identifier,
11:17:57 6 right? It helps the parties cull -- I would assume cull
11:18:02 7 relevant documents.

11:18:04 8 MR. BELL: That was my next question. We would ask
11:18:07 9 the Government, out of the small list that we got, are you not
11:18:11 10 able with what you have now to identify these people, or should
11:18:16 11 we continue this process which is taking a lot of time up, or
11:18:20 12 is it that important --

11:18:20 13 THE COURT: I think that's --

11:18:20 14 MR. BELL: -- for those particular individuals?

11:18:23 15 THE COURT: I think that's a good question, and I'll
11:18:28 16 leave it to y'all to hopefully resolve it.

11:18:31 17 MR. CARPENITO: We'll work to resolve it, Your Honor,
11:18:33 18 and if we feel that we've reached an impasse, we'll file a
11:18:36 19 motion.

11:18:37 20 THE COURT: All right. Thank you very much. We are
11:18:41 21 adjourned.

11:18:41 22 (Proceeding concluded at 11:18 a.m.)

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
CERTIFICATE OF OFFICIAL REPORTER

I, Tammy Johnson, CVR-CM-M, RVR, Federal Official Court Reporter, in and for the United States District Court for the Eastern District of North Carolina, do hereby certify that pursuant to Section 753, Title 28, United States Code, that the foregoing is a true and correct transcript of the Stenomask-reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

Dated this 27th day of July, 2026.

/s/ Tammy Johnson
Tammy Johnson, CVR-CM-M, RVR
U.S. Official Court Reporter