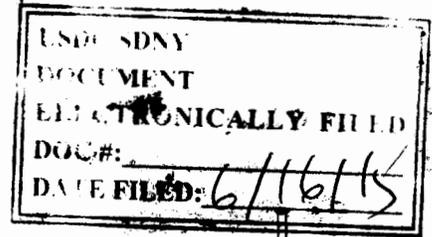


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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: **ORDER SUMMARIZING**
IN RE WORLD TRADE CENTER LOWER : **JUNE 15, 2015 STATUS**
MANHATTAN DISASTER SITE LITIGATION : **CONFERENCE**
:
: 21 MC 102 (AKH)
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ALVIN K. HELLERSTEIN, U.S.D.J.:

A status conference was held on June 15, 2015, during which the following points were discussed and decided:

1. Of the 84 plaintiffs represented by the law firms of Gregory J. Cannata & Associates, LLP and Robert A. Grochow, P.C., 82 have completely resolved their claims and those settlements have been approved. *See* Order and Opinion Approving Settlements in 82 Cases, No. 21 MC 102, ECF No. 5886 (S.D.N.Y. June 9, 2015). One plaintiff has outstanding claims against defendants associated with a single building and negotiations are ongoing. The remaining plaintiff intends to discontinue all claims with prejudice and without payment.

2. Of the 940 plaintiffs represented by the law firm of Worby Groner Edelman & Napoli Bern LLP (“WGENB”), 501 plaintiffs have settled all of their claims and WGENB is preparing to submit those settlements to the Court for approval. 439 plaintiffs have outstanding claims against 14 defendants in 12 buildings. Settlement discussions are ongoing and fact discovery is proceeding on schedule, to be completed by August 15, 2015. *See* Order Regulating Discovery and Designation of All Non-Settled Cases, No. 21 MC 102, ECF No. 5855 (S.D.N.Y. May 11, 2015).

3. Counsel addressed the enforceability of Section II.E of the Settlement Process Agreement, as Amended, executed in the 21 MC 100 litigation, and Section 9 of the settlement

agreement between Merrill Lynch & Co. and various plaintiffs represented by WGENB, executed in the 21 MC 102 litigation. Counsel represented that they are currently engaged in negotiations to settle most of the claims on the basis of exchanging mutual releases. If claims remain, they appear not to affect the settlements discussed in the preceding paragraphs, nor to be reason why they should not all be put forward for the Court's approval. If remaining cases now in discovery, or any others, cannot be settled in due course, they will be tried as scheduled. The issues of contribution and indemnification will be addressed by the Court, pursuant to New York General Obligations Law § 15-108, when ripe for submission and determination.

4. The Court granted a request made by counsel for Hillmann Environmental Group, LLC for an additional day to take a plaintiff's deposition due to delays caused by the need for a translator.

SO ORDERED.

Dated: New York, New York
June 16, 2015



ALVIN K. HELLERSTEIN
United States District Judge