

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER :
DISASTER SITE LITIGATION :
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ORDER

21 MC 100 (AKH)

ALVIN K. HELLERSTEIN, UNITED STATES DISTRICT JUDGE:

The parties appeared before me on March 17, 2004 to show cause why the suspense docket in this consolidated action should not end and why plaintiffs, who had claims pending in the Victim Compensation Fund (VCF), as listed in the appendices to my Order of March 11, 2004, should be granted more time to dismiss their cases in this court. Based on the representations of counsel for these plaintiffs and the information provided by the VCF, and for the reasons stated on the record, I hereby Order the following:

A. By March 23, 2004, plaintiffs' liaison counsel shall file with this court a list that identifies those plaintiffs who have repeatedly failed to respond to counsels' communications. Such plaintiffs shall be dismissed for failure to prosecute. Any plaintiffs aggrieved by such dismissal may show cause, within ten days of dismissal, why their cases should be restored.

B. Counsel for those plaintiffs listed on Appendix A and B to my Order of March 11, 2004, who have been determined by the VCF to be "eligible" for awards, shall dismiss their actions no later than March 31, 2004.

C. The suspense docket shall continue until April 9, 2004 for those plaintiffs for whom the VCF has not yet made an eligibility determination. By April 9, 2004, counsel for plaintiffs who are currently awaiting eligibility determinations shall file with this court a letter:

1. identifying cases, and plaintiffs in those cases, that are to be made active, or are to remain active; and

