

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 TO SHOW CAUSE
UPDATING AND AMENDING
ORDER OF MARCH 2, 2004

21 MC 100 (AKH)

ALVIN K. HELLERSTEIN, UNITED STATES DISTRICT JUDGE:

This Order shall amend and correct my Order of March 2, 2004.

In the March 2 Order I identified the cases consolidated in 21 MC 100 and their active or suspense status. I also found that no plaintiffs in those cases had claims pending before the Victim Compensation Fund (VCF).

It appears, however, based on supplemental lists provided by the Victim Compensation Fund pursuant to my Order of February 25, 2004, that some plaintiffs in these consolidated actions have claims pending before the VCF. Attached to this Order are two appendices listing the status of the cases and the plaintiffs. Appendix A lists Active cases, plaintiffs in those cases with VCF claims pending, and the status of the plaintiff's VCF claim. Appendix B lists Suspended cases, plaintiffs in those cases with VCF claims pending, and the status of the plaintiff's VCF claim.

A claimant to the VCF "waives the right to file a civil action (or to be a party to an action) in any Federal or State court for damages sustained as a result of the terrorist-related aircraft crashes of September 11, 2001," except for actions for collateral sources or against a knowing participant to the terrorist acts. See The Air Transportation Safety and System Stabilization Act (the Act) 49 U.S.C. § 40101, Title IV Victim Compensation, § 405(c)(3)(B), Pub. L. No. 107-42, 115 Stat. 230, 240 (Sept. 22, 2001), as amended by Pub. L. No. 107-71, § 201, 115 Stat. 597, 645 (Nov. 19, 2001). As I held in In Re September 11 Litigation, 2003 U.S. Dist. LEXIS 23561, *9 (S.D.N.Y. Dec. 19, 2003), claimants who have filed a claim with the

