

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION  
Case No. 7:23-cv-897**

<b>IN RE:</b>	)	
<b>CAMP LEJEUNE WATER LITIGATION</b>	)	
	)	<b>[PROPOSED] TRIAL ORDER</b>
	)	<b>CONFIRMING THE 25 TRACK 1</b>
	)	<b>TRIAL PLAINTIFFS</b>
<b>This Document Relates To:</b>	)	
<b>ALL CASES</b>	)	

The Court’s recent Order Regarding Track 1 Trial Plaintiff Selection Protocol (Case Management Order No. 12) [D.E. 232] limited eligibility for selection as a Track 1 Trial Plaintiff to plaintiffs “waiving their rights to allege that any other illnesses or injuries besides Track 1 Illnesses (and those injuries or conditions stemming from a Track 1 Illness or its treatment) were caused by the water at Camp Lejeune.” *See* D.E. 232 at 1. Case Management Order No. 12 also required that after the Plaintiffs’ Leadership Group (“PLG”) obtained waivers from proposed Track 1 Trial Plaintiffs, the “Defendant shall propose those plaintiffs to the court to proceed to trial[,]” before the Court would confirm designation of the Track 1 Trial Plaintiffs. *See id.* The Plaintiffs informed the United States on June 25, 2024, that for the plaintiffs proposed as Track 1 Trial Plaintiffs, they have obtained waivers for non-Track 1 illnesses or injuries, and the selected Track 1 Plaintiffs will proceed only with Track 1 illnesses (and injuries or conditions stemming from a Track 1 illness or treatment). These waivers have been confirmed in the joint motion. Accordingly, it is so:

ORDERED that the plaintiffs designated as Track 1 Trial Plaintiffs are as follows:

**Bladder Cancer**

Jefferson Criswell v. USA	Case No. 7:23-cv-01482-BO
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Terry F. Dyer v. USA	Case No. 7:23-cv-00357-D
Mark A. Cagiano v. USA	Case No. 7:23-cv-00569-BO
Jimmy Laramore v. United States	Case No. 7:23-cv-00594-FL
Edward Raymond v. United States	Case No. 7:23-cv-00546-BO

### **Kidney Cancer**

Frank Mousser v. USA	Case No. 7:23-cv-00667-D
Allan W. Howard v. USA	Case No. 7:23-cv-00490-FL
David W. Fancher v. USA	Case No. 7:23-cv-00275-M
David Downs v. United States	Case No. 7:23-cv-01145-FL
Jacqueline Tukes v. United States	Case No. 7:23-cv-01553-BO

### **Leukemia**

Joseph M. Gleesing v. USA	Case No. 7:23-cv-01486-FL
Vivian Connard, Representative of Stephen Matthew Connard v. USA	Case No. 7:23-cv-01557-M
Bruce W. Hill v. USA	Case No. 7:23-cv-00028-M
Robert Fiolek v. United States	Case No. 7:23-cv-00062-BO
Karen Marie Amsler v. United States	Case No. 7:23-cv-00284-BO

### **Non-Hodgkin's Lymphoma**

Frances Carter as Personal Representative of the Estate of Ronald Carter v. USA	Case No. 7:23-cv-01565-M
Robert A. Kidd v. USA	Case No. 7:23-cv-01489-FL
Cometto Davis v. USA	Case No. 7:23-cv-00043-BO

Jose Vidana v. United States	Case No. 7:23-cv-01575-M
Scott Keller v. United States	Case No. 7:23-cv-01501-FL

**Parkinson's Disease**

Edgar Allen Peterson, IV v. USA	Case No. 7:23-cv-01576-M
Gary McElhiney v. USA	Case No. 7:23-cv-01368-BO
Diane Rothchild v. USA	Case No. 7:23-cv-00858-D
Robert Welch v. United States	Case No. 7:23-cv-01503-FL
Richard Sparks v. United States	Case No. 7:23-cv-00682-M

IT IS FURTHER ORDERED that within 10 days of the entry of this Order, all Track 1 Trial Plaintiffs shall amend their Short Form Complaints to remove waived allegations that any illnesses or injuries besides Track 1 Illnesses (and those injuries or conditions stemming from a Track 1 Illness or its treatment) were caused by the water at Camp Lejeune.

IT IS FURTHER ORDERED that fact discovery for the Track 1 Trial Plaintiffs, including general discovery, shall conclude on August 11, 2024.

IT IS FURTHER ORDERED that discovery and all deadlines for Track 1 Discovery Pool Plaintiffs not selected as one of the Track 1 Trial Plaintiffs are STAYED.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2024.

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RICHARD E. MYERS II  
Chief United States District Judge

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TERRENCE W. BOYLE  
United States District Judge

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LOUISE W. FLANAGAN  
United States District Judge

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JAMES C. DEVER III  
United States District Judge