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HARRIS COUNTY CAUSE NO. 2015-37067

WEBB COUNTY CAUSE NO. 2015-CV2-002272-D5

TARRANT COUNTY CAUSE NO. 048-000001-15

FILED
WEBB COUNTY, TEXAS

BY *Mauluhami*

IN RE:	§	IN THE DISTRICT COURTS
FARMERS INSURANCE	§	OF HARRIS COUNTY (281st), TEXAS
COMPANY WIND/HAIL STORM	§	WEBB COUNTY (341st), TEXAS AND
LITIGATION	§	TARRANT COUNTY (48th), TEXAS

ORDER REGARDING RULE 13.5 AND TRANSFER OF CASE FILES

The Multidistrict Litigation Panel issued an Order dated April 7, 2015, in MDL Docket No. 14-0882, establishing three (3) MDL Pretrial Courts (the "Pretrial Courts") and assigning certain cases to the Pretrial Courts. There are over 1500 cases subject to the April 7, 2015 Order and they are pending in more than 35 counties across the State of Texas.

Texas Rule of Judicial Administration Rule 13.5(c) states that when an MDL pretrial court is established, ". . . the trial court clerk must transmit the case file to the pretrial court clerk." At this time, the Pretrial Courts anticipate managing the pretrial proceedings without need of the physical or electronic case files.

The Pretrial Courts **FIND** that transmitting the case files will involve an unnecessary and substantial effort by the staffs of the individual district clerks and courts across the state.

The Pretrial Courts **FIND** that in the interest of judicial economy and preserving resources, the originating trial courts and their respective clerks should **NOT** be required to transfer the case files unless specifically requested by one of the Pretrial Courts.

IT IS HEREBY ORDERED that the trial court clerks shall **NOT** comply with Rule 13.5(c) to the extent it requires them to transmit the case files to the clerks of the Pretrial Courts.

Martin, Disiere, Jefferson, and Wisdom, LLP, counsel for the Defendants, is **ORDERED** to maintain a Master List of the status of all cases in the MDL and provide updated sub-lists of the active, settled, and disposed cases to each of the Pretrial Courts for cases assigned to that pretrial court. Unless otherwise ordered, such lists will be updated approximately every 30 days and will

be provided to the Plaintiffs' Liaison Counsel ten (10) days in advance for their agreement. The updated list, when agreed to, will be deemed to be a joint submission.

IT IS FURTHER ORDERED that if an impasse is declared by a mediator or by agreement of the parties, the parties may apply to the appropriate Pretrial Court for an order transferring the physical or electronic file from the originating trial court to the appropriate Pretrial Court and a new file will be opened by the clerk of that Pretrial Court.

IT IS FURTHER ORDERED all costs associated with transferring a file from the originating trial court to the appropriate Pretrial Court shall be taxed against the Defendant.

Pursuant to Rule 13.5(c), the Pretrial Courts **ORDER** that all pretrial documents must be filed electronically in the appropriate MDL Pretrial Court. Filings involving non-case specific common issues will be filed in all three (3) MDL Pretrial Courts.

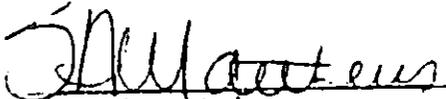
SIGNED this 1st day of July, 2015



Hon. Elma Teresa Salinas Ender



Hon. David L. Evans



Hon. Sylvia A. Matthews