

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

IN RE: LUMBER LIQUIDATORS )  
CHINESE-MANUFACTURED FLOORING )  
PRODUCTS MARKETING, SALES ) MDL No. 1:15-md-2627 (AJT/TRJ)  
PRACTICES AND PRODUCTS LIABILITY )  
LITIGATION )  
\_\_\_\_\_ )

This Document Relates to ALL Cases

---

IN RE: LUMBER LIQUIDATORS )  
CHINESE-MANUFACTURED FLOORING )  
DURABILITY MARKETING AND SALES ) MDL No. 1:16-md-2743 (AJT/TRJ)  
PRACTICE LITIGATION )  
\_\_\_\_\_ )

This Document Relates to ALL Cases

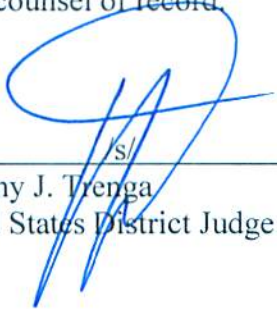
---

**ORDER**

On October 9, 2018, after a hearing held on October 3, 2018, the Court approved the Class Action Settlement Agreement in Formaldehyde MDL and Durability MDL (“the Settlement”) (Doc. 1618-1) in both of the above-captioned matters. As of the date of its Order approving the Settlement, ninety-four settlement class members had opted out of the Settlement. [Doc. 1688 at 7]. Two of those settlement class members who have opted out of the Settlement are plaintiffs in at least two filed actions that have been transferred to this Court as part of the two MDLs, specifically, *Gaus, et al., v. Lumber Liquidators, Inc. et al*, Case No. 1:18-cv-2817, and *Doss et al v. Lumber Liquidators, Inc. et al*, Case No. 1:15-cv-2711. The Court having retained jurisdiction over those cases and the opting out settlement class members, [Doc. 1705 at 20], it is hereby

ORDERED that Defendant and any settlement class members who have opted out of the Settlement and have filed individual actions that have been transferred to this Court by the Judicial Panel on Multidistrict Litigation as part of either the Formaldehyde Litigation (Case No. 1:15-md-2627) or the Durability Litigation (Case No. 1:16-md-2743), including but not limited to the two actions named above, shall file, within ten days of the issuance of this Order, their respective positions concerning what pre-trial discovery or other pre-trial proceedings remain outstanding and how the Court should proceed with respect to those outstanding matters.

The Clerk is directed to forward copies of this Order to all counsel of record.



/s/  
Anthony J. Tenga  
United States District Judge

Alexandria, Virginia  
October 16, 2018