

CAMP LEJEUNE PLAINTIFFS' LEADERSHIP COUNSEL

REPORT ON THE STATUS OF THE CAMP LEJEUNE WATER LITIGATION APRIL 8, 2025

Below is the April 8, 2025, report on the status of the Camp Lejeune Water Litigation from Plaintiffs' Leadership Counsel:

Dear Counsel and Pro Se Plaintiffs:

The Court conducted a status hearing on Monday, April 7, 2025, attended by Plaintiffs' Leadership and DOJ. The Honorable Magistrate Judge Robert Jones presided. The Court heard various updates from the parties, including the following.

1) DPPF Updates

- The parties reached an agreement with regard to PLG providing medical updates for Track 1 Trial Plaintiffs. PLG has agreed to provide updates every three months. The first update is due next week. PLG has also agreed to produce medical records for Track 1 Bellwether Plaintiffs as soon as practical upon receipt.*
- DOJ indicated that it will be reaching out to PLG with a proposal to provide a deadline for submitting medical updates for Track 1 Trial Plaintiffs. PLG indicated that it would review any proposal DOJ submits, but pointed out that with respect to the diagnoses for the 25 Track 1 Plaintiffs, their conditions will most likely continue to worsen, they will continue to require medical treatment, and it will therefore be difficult for PLG to agree on a deadline for supplementing medical documents.*

2) Kidney Cancer Trial Plaintiff with Recent Diagnosis

- With respect to the kidney cancer plaintiff who was recently diagnosed with a new cancer, PLG plans to supplement the expert reports for the plaintiff in light of the recent diagnosis. The parties have agreed that if PLG supplements expert reports due to the recent diagnosis, DOJ will also have the option to provide supplemental reports.*

3) Status of Independent Medical Examinations

- DOJ reports that all of the medical examinations have been completed with the exception of neurological exams for two Parkinson's plaintiffs. Those examinations are scheduled within the next week.*
- The parties agreed that if the kidney cancer plaintiff who has recently been diagnosed with a new cancer requires an examination, then DOJ will be allowed to undertake an IME.*
- The parties are hopeful that if expert witness supplementations and additional medical examinations are required for the kidney cancer plaintiff with the new diagnosis, the deadlines will not need to be extended, and if they are extended, it will only be for a short time.*

4) Reliance Documents and PLG Disclosure of Non-Retained Experts

- The parties report that the reliance file documents dispute has been resolved, and the issues surrounding PLG's disclosure of non-retained experts has also been resolved.*

5) Requested Site Visit for PLG Water Modeling Expert

- PLG has requested permission from DOJ for PLG's water modeling expert to conduct a site visit at Camp LeJeune, in light of the site visit by Dr. Hennet, DOJ's water modeling expert, after his review of the expert report of PLG's water modeling expert. DOJ argues that there is no good cause for the site visit because PLG's expert has already been deposed, and Dr. Hennet's site visit was only to confirm the opinions he previously expressed.*
- PLG disagrees and indicates that Hennet's previously expressed opinions did in fact change after his site visit, and that PLG is either entitled to have its expert conduct a site visit, or to an order precluding Hennet from being allowed to testify about or relying upon any information obtained during his subsequent visit.*
- The Court indicated that PLG should file a motion with respect to this issue, and PLG will be filing a motion soon.*

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6) Other Issues

- CMO 5
 - DOJ complained that during PLG's deposition of DOJ's water modeling expert, Dr. Hennet, PLG referenced a document, that DOJ claims is privileged. DOJ requests that moving forward, PLG follow the procedures set forth in CMO 5.
 - PLG responded that the document referenced is not privileged, and that a review of the document by the Court will support same. PLG agreed that it will be complying with CMO 5 with respect to any future depositions, and expects that DOJ will do the same.
- Track 3 Diseases
 - With respect to Track 3 diseases, PLG indicates that it will be filing an amended request for Track 3 disease consideration. DOJ indicates that it also reserves the right to do so.
- Disease Information
 - The Court requested updated disease status information for all claims to help the Court determine the diseases for Track 3 and future tracks. PLG will be providing this information with respect to diseases claimed in lawsuits filed and DOJ will do the same for administrative claims filed. These will be submitted to the court in camera.
 - The Court expressed the importance for the Court to know the disease census, in order to ensure that the diseases in the upcoming tracks represent the greatest number of plaintiffs. The parties agreed, and further agreed to get the requested information to the Court as soon as possible.

The transcript of the April 7, 2025, hearing will be posted by Plaintiffs' Leadership Group on its website upon receipt of the same. The next status conference with the Honorable Magistrate Judge Robert Jones will be held on Monday, April 28, 2025, at 11:00 a.m. in Wilmington.

Please continue to monitor our website for real-time updates: <https://camplejeunecourtinfo.com/>.

Respectfully,

Plaintiffs' Leadership Group

We are committed to supporting you throughout the Camp Lejeune litigation process. Our involvement spans all levels, from investigating and preparing administrative claims to filing suits and managing settlements. Contact us today!