

CAMP LEJEUNE PLAINTIFFS' LEADERSHIP COUNSEL

REPORT ON THE STATUS OF THE CAMP LEJEUNE WATER LITIGATION SEPTEMBER 30, 2025

Below is the September 29, 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, September 29, 2025, via telephone attended by Plaintiffs' Leadership Group ("PLG") and DOJ counsel. The Honorable Magistrate Judge Robert Jones presided. The Court heard updates from the parties regarding various matters, including:

1) Update on DOJ's Provision of Offset Data

- Per the agreement of the Parties, and the Court's September 17, 2025 Order [D.E. 630], depositions related to the government's offset information and potentially corresponding damages information was completed on September 18, 2025. Plaintiffs will produce their amended damage assessment forms and disclose their expert reports relating to damages and offsets by October 29, 2025. An issue remains in dispute with respect to the government's refusal to produce patient co-pay, deductible and similar type of data where it is available. A meet and confer is scheduled for September 30th. The Court granted PLG's request to file a motion if the issue is not resolved before the next status conference.*

2) Phase I Motions

- As outlined in the Joint Status Report, a number of motions involving Phase I (Water Contamination) are pending and ripe for determination. This includes Plaintiffs' Motion for Leave to File Surreply [D.E. 428] and the United States' Motion in Limine to Exclude Plaintiffs' Phase I Expert Testimony in Support of Using ATSDR's Water Models to Determine Exposure Levels for Individual Plaintiffs [D.E. 367]. As noted on Page 10 of the Joint Status Report, the PLG has highlighted these motions as needing to be resolved expeditiously in order to assist both Parties in moving forward on Track 1 and future tracks. The PLG has asked the Court to delay any continued discussion with respect to Track 2 as premature until the water modeling issues are decided because the Court's rulings on the ATSDR water model is critical to the PLG's consideration of the Track 2 process.*

3) Resolution of DOJ's Motion to Seal [D.E. 636]

- On September 22, 2025, DOJ filed a Motion to Seal with respect to certain exhibits filed at D.E. 622-5 and redactions to PLG's supporting brief. The parties met and conferred and reached agreement as set forth in PLG's Response filed this morning at D.E. 640.*

4) Document Production by Dr. Barbano

- The issues with respect to DOJ's subpoena to PLG expert Dr. Richard Barbano have been resolved.*

5) Track 2 Proposals

- With respect to Track 2 discovery, the parties conferred to try to reach agreement on an expeditious and efficient process for conducting discovery for Track 2 plaintiffs. The DOJ provided a proposal for Track 2 which includes addressing issues of general causation before conducting plaintiff specific discovery. The PLG has concerns about the government's proposal but, as noted above, seeks to stay any further analysis of the process for Track 2 until the water modeling issues that are currently before the court are ruled upon.*
- The parties are in agreement that issues with respect to Phase I of Track 1 should be prioritized and resolved. The DOJ contends that whether or not to move forward on Track 2 now depends on how long that will take.*

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6) Track 1 Trials

- *The DOJ has indicated that it will continue to confer with the PLG about a joint motion for Track 1 trial dates and Track 2 proposals but if agreement cannot be reached, the DOJ may file a motion seeking to schedule evidentiary hearings and trials for Track 1. The PLG also seeks to get Track 1 trials started but rulings on the Phase I Water Contamination motions are needed to provide direction on Track 1 trial scheduling.*
- *It was noted that the Court's ruling on the Water Contamination motions will survive into subsequent tracks and that rulings on the Water Contamination motions and General Causation motions can occur before the economic and residual expert phase of expert discovery is finished but trials would need to be scheduled after that phase is complete.*

The transcript of the September 29, 2025 hearing will be posted by Plaintiffs' Leadership Group on its website upon receipt of same. The next status conference with the Honorable Magistrate Judge Robert Jones will be held on Monday, October 20, 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!