

FILED
DISTRICT COURT OF
JEFFERSON CO TEXAS

IN RE:

HURRICANE IKE LITIGATION

'09 APR 15 P3:30

Leticia Ramos
LETICIA RAMOS
DIST. CLERK

IN THE DISTRICT COURTS OF

JEFFERSON COUNTY, TEXAS

GENERAL ORDER NO. 2


The undersigned have taken judicial notice of the number of filings of breach of contract, insurance coverage and claims handling cases seeking relief from insurers, claims handlers, adjusters and adjusting firms involving damages caused by Hurricane Ike in the Courts of Jefferson County. The District Judges of Jefferson County consolidated such cases for discovery purposes on January 29, 2009 and have noted the consolidation of similar claims by the Courts in Galveston County, Texas. Having met with counsel from both sides of the docket on Friday, April 3, 2009 to discuss the status of filings, the undersigned are of the opinion that it is necessary to abate discovery and any related deadlines in these or ancillary matters relating to cases filed by claimants regarding insurance claims handling practices, "bad faith" under the Texas Insurance Code, Breach of Fiduciary Duty, Breach of Contract for similar matters, whether against insurance carriers or independent adjusting firms, or individuals employed by or acting on behalf of such entities in order to allow sufficient time for the Courts to consult with the attorneys and parties to develop a case management process to apply to this litigation. Accordingly, it is hereby


ORDERED that all deadlines related to lawsuits filed in Jefferson County pertaining to insurance claims or losses incurred as a result of Hurricane Ike to which any Defendant is an insurance carrier, claims handler, adjuster or independent adjusting firm, or an individual employed by, representing or acting as an agent for such entities, are


hereby stayed and extended by sixty (60) days. By way of example, any discovery deadline that would otherwise run during the period of this stay shall be extended for sixty (60) days from the date it would otherwise have run, without prejudice to any party; it is further

ORDERED that any delay in pursuit of appraisal or other statutory, common law or contractual right or remedy as a result of the entry of this Order shall not be construed by any party or Court as a waiver of such rights or remedies as may exist. Further, nothing in this Order shall be construed as preventing the parties in any case from agreeing to pursue any action (ie., such as mediation or other dispute resolution process) among themselves in a given case or cases otherwise subject to these terms. This Order applies equally to Plaintiffs and Defendants, corporate entities and individuals, in the subject litigation.

SIGNED this 15TH day of APRIL, 2009.


HON. DONALD FLOYD
PRESIDING JUDGE
172ND DISTRICT COURT


HON. GARY SANDERSON
ADMINISTRATIVE JUDGE AND
PRESIDING JUDGE
60TH DISTRICT COURT


HON. MILTON G. SHEFFIELD
PRESIDING JUDGE
136TH DISTRICT COURT


HON. BOB WORTHAM
PRESIDING JUDGE
58TH DISTRICT COURT