

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

IN RE: RED MUD LITIGATION.

MASTER CASE NO: SX-20-MC-0000009

**NOTICE OF ENTRY OF
ORDER**

**TO: LEE J. ROHN, ESQ.
RHEA LAWRENCE
JOEL H. HOLT, ESQ.
CARL J. HARTMANN III, ESQ.**

PLEASE TAKE NOTICE that on February 3, 2020 two (2) ORDERS dated February 3, 2020 were entered by the Clerk in the above-entitled matter.

Dated: February 3, 2020

**TAMARA CHARLES
Clerk of the Court**

By: 

**CHERYL A. PARRIS
COURT CLERK III**

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

IN RE: RED MUD LITIGATION.

) MASTER CASE NO. SX-20-MC-009
) COMPLEX LITIGATION DIVISION
)

ORDER

IT IS HEREBY

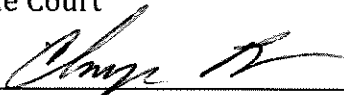
ORDERED that that the Clerk's Office shall **OPEN** a miscellaneous civil case under the caption styled above, to be maintained as a **MASTER CASE** and **DOCKET** and provide notice to Lee J. Rohn, Esq., Rhea Lawrence, Esq., Joel H. Holt, Esq., and Carl J. Hartmann, III, Esq.

DONE AND SO ORDERED.

Date: February 3, 2020

ATTEST:
TAMARA CHARLES
Clerk of the Court

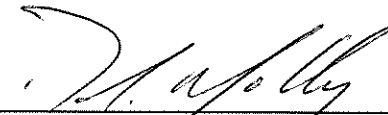
By:



Court Clerk

Dated:

2/3/2020



ROBERT A. MOLLOY
Judge of the Superior Court

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

IN RE: RED MUD LITIGATION.

) MASTER CASE NO. SX-20-MC-009
) COMPLEX LITIGATION DIVISION
)

ORDER

IT IS HEREBY

ORDERED that, in order to reduce cost and expense, and provided that counsel do not object by serving and filing a notice **within seven (7) days** from the date of entry of this Order, the Court **ADOPTS** the use of a “**Master Complaint**” and a “**Master Answer**” (collectively “**Master Pleadings**”) as vehicle for determining issues common to all the cases *Cf.* Hon. Alfred Chiantell, *Asbestos Litigation & Tort Law: Trends, Ethics, & Solutions: Judicial Efficiency in Asbestos Litigation*, 31 Pepp. L. Rev. 171, 172 (2003) (“[W]e decided to have one master complaint and one master answer. We told the plaintiffs they should put down each and every theory of recovery on their master complaint. We also told the defense attorneys to put down every affirmative defense and to deny as much as possible. Now, when an attorney files a case, he or she files a sheet of paper and simply refers to the standard complaint. Defendants refer to the standard answer. This saves time and money.”). It is further

ORDERED that no later than **twenty-eight (28) days** from the date of entry of this Order, the plaintiffs in *Eleanor Abraham, et al. v. St. Croix Renaissance Group, LLLP*, case number SX-11-CV-550 (“*Abraham*”), and the former plaintiffs in *Laurie L.A. Abednego, et al. v. St. Croix Alumina, LLC, et al.*, case number SX-09-CV-571 (“*Abednego*”), who were dropped and ordered to refile individual complaints (collectively “**Plaintiffs**”), shall **SERVE and FILE a Master Complaint** in this case that: (1) is suitable for adoption by reference by all Plaintiffs in the individual cases to be filed; and (2) provides Defendant St. Croix Renaissance Group, LLLP with all factual information previously alleged in *Abraham* or *Abednego* as well as additional facts Plaintiffs may wish to include, **provided, however**, that (3) new, different, or additional claims may not be asserted in the master complaint. It is further

ORDERED that no later than **twenty-one (21) days** from the date Plaintiffs serve and file their Master Complaint, Defendant St. Croix Renaissance Group, LLLP shall **SERVE and FILE a Master Answer** to the Master Complaint that incorporates: (1) all defenses in law or fact to the


claims asserted against it in *Abraham* or *Abednego*, **provided, however**, that (2) no defense asserted in *Abraham* or *Abednego* that has been waived or abandoned may be revived. The Master Answer may in a “generic” manner admit or deny (including denials based on lack of information and belief) the allegations of the Master Complaint but need not provide cross-references to particular paragraphs or counts of the Master Complaint. It is further

ORDERED that the individual complaints and answers to be filed in accordance with the orders issued separately of even date in *Abraham* and *Abednego* may be **TRUNCATED** by adopting by reference all or a portion of the master complaint or answer, respectively, **provided, however**, that: (1) each individual complaint must include information identifying the named plaintiff, e.g., full name, date of birth, and address; (2) each individual complaint must state the damages demanded; and (3) any claims, defenses, or issues **specific to** an individual plaintiff must be pleaded in that plaintiff’s complaint or in the answer to that plaintiff’s complaint. Failure to allege a claim, defense, or issue specific or unique to a plaintiff may be construed as a forfeiture of that claim or defense.

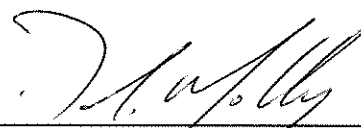
DONE AND SO ORDERED.

Date: February 3, 2020

ATTEST:
TAMARA CHARLES
Clerk of the Court

By: 
Court Clerk

Dated: 2/3/2020


ROBERT A. MOLLOY
Judge of the Superior Court