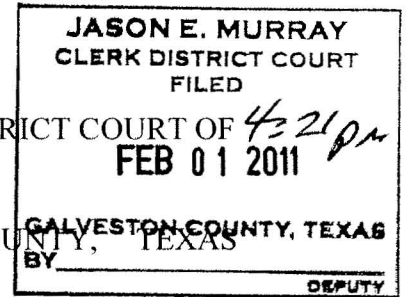


IN RE:
HURRICANE IKE
RESIDENTIAL AND COMMERCIAL
PROPERTY CLAIM LITIGATION

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IN THE DISTRICT COURT OF
GALVESTON COUNTY, TEXAS
212TH JUDICIAL DISTRICT COURT



THIRD SUPPLEMENTAL STANDING PRETRIAL ORDER CONCERNING TEXAS WINDSTORM INSURANCE ASSOCIATION HURRICANE IKE RESIDENTIAL AND COMMERCIAL PROPERTY CLAIMS

The 212th District Court of Galveston County, Texas, has been appointed as the Consolidated Pretrial Court over Hurricane Ike Litigation filed in District Court in Galveston County, Texas. On March 13, 2009, this court entered a Standing Pretrial Order Concerning Hurricane Ike Residential Property Claims. On June 2, 2009, this court entered a First Supplemental Standing Pretrial Order Concerning Hurricane Ike Residential Property Claims. On June 29, 2009, this court entered a Standing Pretrial Order Concerning Hurricane Ike Commercial Claims Filed in County & District Court. On August 16, 2010, this court entered a Second Supplemental Standing Pretrial Order Concerning Texas Windstorm Insurance Association Hurricane Ike Residential and Commercial Property Claims. After consideration of pretrial and trial-related issues and discussion with counsel representing claimants, counsel representing Texas Windstorm Insurance Association (“TWIA”), and the judges of the various district courts of this county, the Court finds that its orders of March 13, 2009, and June 29, 2009 should be further supplemented as follows, its order of August 16, 2010, be rescinded and withdrawn, and this ordered entered as follows:

IT IS ACCORDINGLY ORDERED AS FOLLOWS:

- A. This Order shall be effective and apply to all lawsuits filed in the District Courts of Galveston County, Texas, wherein any policyholder (the “Plaintiff Insured”) asserts a claim against TWIA arising from damage to residential or commercial property caused by Hurricane Ike;
- B. The Court shall set a Status Conference to occur on each case under this Order 150 days from the date the Original Petition was filed and provide written notice to all parties of the date and time of the Status Conference. Each case shall then be set for trial and an appropriate Docket Control Order entered. Such initial Docket Control Order shall include only a trial date and a deadline for adding additional parties approximately thirty (30) days from the date of entry of the docket control order. The docket control order shall further provide that any plea to the jurisdiction based on an assertion of sovereign immunity be set for submission or hearing on the date of the pretrial conference, unless the plea has been submitted or heard at an earlier date.

- C. All parties subject to this order are relieved of complying with any deadlines governed by any existing docket control order other than those dates for trial and adding additional parties as set forth in Paragraph B.
- D. Residential and commercial windstorm cases against TWIA shall be tried in the court in which they are filed and set for trial. Such trials shall occur within each district court on a rotating basis beginning August 22, 2011, pursuant to the schedule attached as Exhibit A.
- E. Ten (10) cases shall be designated for trial from cases set for trial for each trial period for the first week of the trial period in each court. Plaintiffs, through the Plaintiffs' Steering Committee, shall designate five cases and TWIA shall also designate five cases. One hundred eighty (180) days before the first day of the month in which the first trial period in each court begins as set forth in Exhibit A, the parties shall give notice to the court and the Parties of the cases designated eligible for trial. Within seven (7) days of designation, the parties shall submit a unified docket control order applicable to the ten (10) designated cases. A designated case not reached during the first trial week of the period shall be eligible for trial during the next designated week, in that court. The parties shall choose only a case set for trial in that court for the period designated for trial in that court or any preceding month in which a case was set. Priority for trial settings is to be given to those cases in which a homeowner is unable to live in their primary residence because of Hurricane Ike related storm damage. A party or litigant shall notify the Plaintiffs' Steering Committee in writing of each case requested to be considered for designation for a particular trial period.
- F. The number of cases to be tried at one time shall be determined at the discretion of the trial judge.
- G. Any case not designated by Plaintiff Steering Committee or TWIA one hundred eighty (180) days in advance of the first day of the month of the designated trial period under paragraph D shall be reset for the next trial period designated for the court in which it is filed. Any case previously designated as trial eligible pursuant to Paragraph D above but not reached for trial shall be given priority within the next list of trial eligible cases for that court.
- H. All residential and commercial cases against TWIA set for trial through August 19, 2011, are hereby continued and shall be reset for trial and a new docket control order entered in accordance with Paragraph B above.

Signed this 1 day of Feb, 2011.

Judge Presiding

**TRIAL SCHEDULE
IKE CASES
2011**

WEEK BEGINNING:	COURT #
JANUARY 03, 2011	212 TH
JANUARY 10, 2011	212 TH
JANUARY 31, 2011	10 TH
FEBRUARY 07, 2011	10 TH
FEBRUARY 28, 2011	405 TH
MARCH 7, 2011	405 TH
MARCH 21, 2011	122 ND
MARCH 28, 2011	122 ND
APRIL 11, 2011	56 TH
APRIL 18, 2011	56 TH
MAY 23, 2011	212 TH
MAY 31, 2011	212 TH
JUNE 13, 2011	10 TH
JUNE 20, 2011	10 TH
JULY 11, 2011	405 TH
JULY 18, 2011	405 TH
AUGUST 1, 2011	122 ND
AUGUST 8, 2011	122 ND
AUGUST 22, 2011	212 TH
AUGUST 29, 2011	212 TH
OCTOBER 17, 2011	56 TH
OCTOBER 24, 2011	56 TH
NOVEMBER 7, 2011	10 TH
NOVEMBER 14, 2011	10 TH
NOVEMBER 28, 2011	405 TH
DECEMBER 5, 2011	405 TH

ON THE ASSIGNED WEEKS THE ASSIGNED COURT
WILL ONLY HEAR IKE CASES FILED IN THAT COURT.

24-10
LATONIA D. WILSON
CLERK DISTRICT COURT
FILED *[Signature]*
AUG 16 2010
GALVESTON COUNTY, TEXAS
BY *[Signature]* Deputy

[Signature]
David E. Garner
Local District Administrative Judge

BY *[Signature]*
GALVESTON COUNTY, TEXAS
AUG 16 2010
FILED
LATONIA D. WILSON
CLERK DISTRICT COURT

Exhibit A