

In the United States Court of Federal Claims

Filed: December 5, 2017

IN RE ADDICKS AND BARKER
(TEXAS) FLOOD-CONTROL
RESERVOIRS

Master Docket No. 17-3000L

THIS DOCUMENT APPLIES TO:

Blayney, et al. v. United States,
No. 17-1652L

ORDER SEVERING UPSTREAM CLAIMS AND DOWNSTREAM CLAIMS INTO TWO SEPARATE DOCKETS

On November 13, 2017, the court issued an Order Requiring Case Identification, that stated:

1. On or before November 27, 2017, plaintiffs in each case must file a Case Identification Notice in *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, identifying whether the case concerns “upstream” or “downstream” claims.
2. In any case that includes both upstream and downstream claims, a separate Case Identification Notice must be filed in *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, indicating which named plaintiffs own upstream properties and which named plaintiffs own downstream properties. In each case, the court will direct the Clerk of Court to sever the claims of the upstream plaintiffs and the claims of the downstream plaintiffs into two separate dockets. Documents filed in the original docket need not be refiled in the newly created docket. Parties with questions about this procedure should contact the Clerk of Court at (202) 357-6406.
3. Once each case has been identified, as set forth herein, the Clerk of Court will divide *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, into two Sub-Master Dockets, as follows:
 - a. *In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9001L; and
 - b. *In re Downstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9002L.

On November 27, 2017, Plaintiffs in *Blayney, et al. v. United States*, No. 17-1652L, filed a Case Identification Notice in *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, that states

Plaintiffs Chris Blayney, Quynh Thanh Tran, Linh Pham, Juan Carlos Flores, Anna Jerez, Sam Van Nguyen, Son Vu Thi Nguyen, Luis Lares Medrano, Ana Medrano, Miguel Basurto, Okson Torres, Mai Thi Tran, Hanh Thanh Nguyen, and Phuong Thi Nguyen hereby provide notice that the claims brought by and through this herewith action should be classified and identified as “upstream.”

Plaintiffs Van T. Nguyen and Ngoc Nga Trang Tran hereby provide notice that the claims brought by and through this herewith action should be classified and identified as “downstream.”

ECF No. 97.

Based upon a review of Plaintiffs’ November 27, 2017 Case Identification Notice, it is hereby ORDERED:

1. The Clerk of Court is directed to sever all upstream claims identified by Plaintiffs’ November 27, 2017 Case Identification Notice, so that the upstream claims will be a separate action, designated by docket number 17-1652-1L.
2. The Clerk of Court is directed to sever all downstream claims identified by Plaintiffs’ November 27, 2017 Case Identification Notice, so that the downstream claims will be a separate action, designated by docket number 17-1652-2L.
3. The Clerk of Court is directed to list the attorneys-of-record in docket number 17-1652-1L and docket number 17-1652-2L as follows:

a. For Plaintiffs:

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b. For the United States:

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4. Docket number 17-1652-1L and docket number 17-1652-2L will include all prior filings made in *Blayney, et al. v. United States*, No. 17-1652L and *In re Addicks And Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L. Therefore, this Order does not require the parties to refile any documents.

Pursuant to the court's November 13, 2017 Order Requiring Case Identification, after the Clerk of Court divides *In re Addicks and Barker (Texas) Flood-Control Reservoirs*, Master Docket No. 17-3000L, into the two aforementioned Sub-Master Dockets, all filings related to upstream claims in docket number 17-1652-1L will be made in *In re Upstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9001L and all filings related to downstream claims in docket number 17-1652-2L will be made in *In re Downstream Addicks and Barker (Texas) Flood-Control Reservoirs*, Sub-Master Docket No. 17-9002L.

IT IS SO ORDERED.

s/ Susan G. Braden
SUSAN G. BRADEN
Chief Judge