

Kiefer v ABB Lummus Crest, Inc.

2018 NY Slip Op 33221(U)

December 11, 2018

Supreme Court, New York County

Docket Number: 190139/2014

Judge: Manuel J. Mendez

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SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: MANUEL J. MENDEZ
Justice

PART 13

IN RE: NEW YORK CITY ASBESTOS LITIGATION
MERCEDES KIEFER, as Administratrix for the Estate of
JOHN R. KIEFER, and MERCEDES KIEFER, Individually
Plaintiffs,

INDEX NO. 190139/2014
MOTION DATE 12/11/2018
MOTION SEQ. NO. 002
MOTION CAL. NO. _____

- against -

ABB LUMMUS CREST, INC., et al.,
Defendants.

The following papers, numbered 1 to 3 were read on Union Carbide Corporation's Pro Hac Vice:

	PAPERS NUMBERED
Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...	<u>1- 3</u>
Answering Affidavits — Exhibits _____	_____
Replying Affidavits _____	_____
Cross-Motion: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Upon a reading of the foregoing papers, it is Ordered that this motion to admit MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., as attorneys Pro Hac Vice is granted without opposition.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of MELVIN D. BAILEY, Esq., an attorney with the law firm of King & Spalding, with offices at 500 W. 2nd Street Suite 1800, Austin, TX 78701 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of KATHERINE W. BINNS, Esq., an attorney with the Binns Law Firm PLLC, with offices at 3839 McKinney Ave., Suite 155-773, Dallas, TX 75204 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of BRUCE T. BISHOP, Esq., an attorney with the law firm of Wilcox & Savage, with offices at 440 Monticello Avenue, Suite 2200, Norfolk, Virginia 23510 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of ERIC D. COOK, Esq., an attorney with the law firm of Wilcox & Savage, with offices at 440 Monticello Avenue, Suite 2200, Norfolk, Virginia 23510 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of COLIN K. KELLY, Esq., an attorney with the law firm of Alston & Bird, with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of W. CLAY MASSEY, Esq., an attorney with the law firm of Alston & Bird, with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of CORI C. STEINMANN, Esq., an attorney with the law firm of King & Spalding, with offices at 500 W. 2nd Street Suite 1800, Austin, TX 78701 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of ANNA SUMNER PIESCHEL, Esq., an attorney with the law firm of Alston & Bird with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of THOMAS J. MOREL, Esq., an attorney with the law firm of Williams Montgomery & John, Ltd with offices at 233 S. Wacker Drive, Suite 6800, Chicago, Illinois 60606-6359 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

MELVIN D. BAILEY, Esq., is a member in good standing admitted to the Bar in the State of Texas.

KATHERINE W. BINNS, Esq., is a member in good standing admitted to the Bar in the States of Texas, California, Louisiana and the Commonwealth of Pennsylvania.

BRUCE T. BISHOP, Esq., is a member in good standing admitted to the Bar in the State of New Jersey.

ERIC D. COOK, Esq., is a member in good standing admitted to the Bar in the State of West Virginia and the Commonwealths of Virginia and Pennsylvania.

COLIN K. KELLY, Esq., is a member in good standing admitted to the Bar in the State of Georgia.

W. CLAY MASSEY, Esq., is a member in good standing admitted to the Bar in the State of Georgia.

CORI C. STEINMANN, Esq., is a member in good standing admitted to the Bar in the States of California and Texas.

ANNA SUMNER PIESCHEL, Esq., is a member in good standing admitted to the Bar in the States of Georgia and Mississippi.

THOMAS J. MOREL, Esq., is a member in good standing admitted to the Bar in the State of Illinois.

No party to this action has opposed this motion.

Accordingly, it is ORDERED, that the motion to admit MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., Pro Hac Vice is granted without opposition, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., an attorney at King & Spalding, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that KATHERINE W. BINNS, Esq., an attorney at Binns Law Firm PLLC, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that BRUCE T. BISHOP, Esq., an attorney at Wilcox & Savage, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that ERIC D. COOK, Esq., an attorney at Wilcox & Savage, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that COLIN K. KELLY, Esq., an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that W. CLAY MASSEY, Esq., an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that CORI C. STEINMANN, Esq., an attorney at King & Spalding, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that ANNA SUMNER PIESCHEL, Esq., an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that THOMAS J. MOREL, Esq., an attorney at Williams Montgomery & John, Ltd, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments

of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that Jonathan Kromberg, Esq., an attorney at the law firm of Darger Errante Yavitz & Blau LLP shall be responsible for the conduct of the applicant attorneys, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall abide by the standards of professional conduct imposed upon members of the New York State Bar, and shall be subject to the Rules of this Court and of this State, including the Rules governing discipline of attorneys, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall notify the court immediately of any matter or event in this or any jurisdiction which affects her standing as a member of the Bar, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall forward the Pro Hac Vice fee if any to the clerk of this Court.

ENTER:

MANUEL J. MENDEZ
J.S.C.

Dated: December 11, 2018



MANUEL J. MENDEZ
J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE