

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

1 Albert B. Norris (SBN 34756)
2 Stephen G. Blich (SBN 70193)
3 Daniel J. Valim (SBN 233061)
4 REED SMITH LLP
5 1999 Harrison Street, Suite 2400
6 Oakland, CA 94612-3572

7 **Mailing Address:**
8 P.O. Box 2084
9 Oakland, CA 94604-2084

10 Telephone: 510.763.2000
11 Facsimile: 510.273.8832

12 Attorneys for Lincoln Electric Holdings; The
13 ESAB Group, Inc (erroneously named as
14 "ESAB Group, Inc., as itself and successor to
15 Alloy Rods Inc. and L-TEC Welding and
16 Cutting Systems, Inc."); The Lincoln Electric
17 Company; A.O. Smith Corporation; Praxair, Inc.
18 (erroneously named as "Praxair, Inc., as
19 successor to Linde Air Products"); Union
20 Carbide Corporation (erroneously named as
21 "Union Carbide Corporation, as successor to
22 Linde Air Products and Haynes Satellite
23 Works"); Viacom Inc., successor by merger to
24 CBS Corporation, f/k/a Westinghouse; Hobart
25 Brothers Company (erroneously named as
26 "Hobart Brothers Company, as itself and
27 successor to Teledyne McKay, Inc." and
28 "McKay Welding Products"); The BOC Group,
Inc. f/k/a Airco, Inc. (erroneously named as
"AIRCO/The BOC Group, Inc., as itself and as
successor to Airco, Inc. (f/k/a Air reduction Co.)
and Wilson Welder & Metal Co."); Allegheny
Technologies, Inc.; Lincoln Global, Inc.;
Sandvik, Inc. (erroneously named as "Sandvik
Materials Technology Company"); and Airgas
Gulf-States, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

23 JOSEPH DURAN, an individual,
24
25 Plaintiff,

26 vs.

27 A.O. SMITH CORPORATION; ADAMS
28 HARD-FACING COMPANY, INC.; AIR
PRODUCTS & CHEMICALS, INC.; AIRCO
INC.; AIRCO/THE BOC GROUP, INC., as itself
and as successor to Airco, Inc. (f/k/a Air

No.: C06-05049 MJJ

**STIPULATION AND [REDACTED]
ORDER STAYING PROCEEDINGS**

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1 Reduction Co.) and Wilson Welder & Metal Co.;
 2 AIRGAS-GULF STATES, INC.; ALLEGHENY
 3 TECHNOLOGIES, INC. as successor to
 4 Teledyne-McKay Welding Products; AVESTA
 5 POLARIT, INC.; BOC FINANCIAL CORP.;
 6 THE BOC GROUP, INC.; CATERPILLAR,
 7 INC.; THE ESAB GROUP, INC.; ESAB
 8 GROUP, INC., as itself and as successor to Alloy
 9 Rods Inc., and L-TEC Welding and Cutting
 10 Systems, Inc.; GENERAL ELECTRIC
 11 COMPANY; HAYNES INTERNATIONAL,
 12 INC.; HOBART BROTHERS COMPANY, as
 13 itself and as successor to Teledyne McKay, Inc.;
 14 ILLINOIS TOOL WORKS, INC., as successor to
 15 Hobart Brothers Corp., Teledyne McKay, Inc. and
 16 Miller Electric Manufacturing Corp.; THE
 17 LINCOLN ELECTRIC COMPANY LINCOLN
 18 ELECTRIC HOLDINGS; LINCOLN GLOBAL,
 19 INC., also known as Seal Seat Corporation;
 20 MCKAY WELDING PRODUCTS;
 21 METROPOLITAN LIFE INSURANCE
 22 COMPANY; MILLER ELECTRIC
 23 MANUFACTURING CO., INC ; PRAXAIR,
 24 INC., as successor to Linde Air Products;
 25 RANKIN INDUSTRIES, INC.; STOODY
 26 COMPANY, as itself and as successor to the
 27 Deloro Stellite Company; THERMADYNE
 28 HOLDINGS CORPORATION, as itself and as
 successor to the Deloro Stellite Company, Stoodly
 Company, and Tweco Products, Inc.; UNION
 CARBIDE CORPORATION, as successor to
 Linde Air Products and Haynes Stellite Works;
 VIACOM, INC.; WESTINGHOUSE ELECTRIC
 CORPORATION; J.W. HARRIS COMPANY,
 INC.; OLSON AND CO. STEEL, individually
 and as successor-in-interest to BOSTROM-
 BERGEN METAL PRODUCTS; BOSTROM-
 BERGEN METAL PRODUCTS; VICTOR
 EQUIPMENT COMPANY; HUNTINGTON
 ALLOYS CORPORATION f/k/a Inco Alloys
 International Inc.; SANDVIK MATERIALS
 TECHNOLOGY COMPANY; THERMADYNE
 INDUSTRIES aka Stoodly; EAST BAY
 WELDING SUPPLY, INC.; CHEVRON U.S.A.
 INC., individually and as successor-in-interest to
 Standard Oil Company; CALIFORNIA
 WELDING SUPPLY COMPANY; GENUINE
 PARTS COMPANY; and Does 1-1000,

Defendants.

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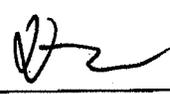
IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys of record that all proceedings in this matter be stayed pending a transfer of this action to In re Welding Fume Products Liability Litigation, MDL No. 1535 (N.D. Ohio).

Throughout the period during which the transfer is pending, the parties stipulate to a stay of Defendants' obligation to respond to the complaint and of the parties' right to propound discovery. During this period, the parties respectfully request that this Court refrain from issuing any scheduling orders in this matter, including but not limited to case management orders and orders pertaining to Alternative Dispute Resolution. Furthermore, any and all case management conferences currently on calendar are now removed.

SO STIPULATED AND AGREED

1 DATED: September 1, 2006

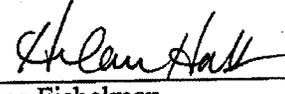
2 REED SMITH LLP

3 By  

4 Albert B. Norris
5 Stephen G. Blicht
6 Daniel J. Valim
7 Attorneys for Defendants
8 Lincoln Electric Holdings; The ESAB Group, Inc
(erroneously named as "ESAB Group, Inc., as itself
9 and successor to Alloy Rods Inc. and L-TEC
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14 Carbide Corporation (erroneously named as "Union
15 Carbide Corporation, as successor to Linde Air
16 Products and Haynes Satellite Works"); Viacom
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24 and Wilson Welder & Metal Co."); Allegheny
25 Technologies, Inc.; Lincoln Global, Inc.; Sandvik,
26 Inc. (erroneously named as "Sandvik Materials
27 Technology Company"); and Airgas Gulf-States,
28 Inc.

18 DATED: 9/1/06

19 GREENE BROILLET & WHEELER, LLP

20 By 

21 Bruce Fishelman
22 Helaine Hatter
23 Attorneys for Plaintiffs

23 PURSUANT TO STIPULATION, IT IS SO ORDERED

24 DATED: 9/13/2006

25 By 
26 The Honorable Martin J. Jenkins

28 DOCSOAK-9843659.1

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