

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: ASBESTOS PRODUCTS LIABILITY  
LITIGATION (NO. VI)**

MDL No. 875

(SEE ATTACHED SCHEDULE)

**CONDITIONAL REMAND ORDER**

The transferee court in this litigation has, in the actions on this conditional remand order: (1) severed all claims for punitive or exemplary damages; and (2) advised the Panel that coordinated or consolidated pretrial proceedings with respect to the remaining claims have been completed and that remand to the transferor court(s), as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that all claims in the action(s) on this conditional remand order except the severed damages claims be remanded to its/their respective transferor court(s).

IT IS ALSO ORDERED that, pursuant to Rule 10.2 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the transmittal of this order to the transferee clerk for filing shall be stayed 7 days from the date of this order. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Eastern District of Pennsylvania.


IT IS FURTHER ORDERED that, pursuant to Rule 10.4(a), the parties shall furnish the Clerk for the Eastern District of Pennsylvania with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

Inasmuch as no objection is pending at this time, the stay is lifted.

**Jul 05, 2012**

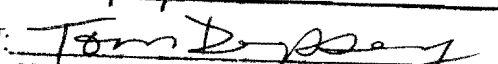
CLERK'S OFFICE  
UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: 7/5/2012

TESTED:   
DEPUTY CLERK, UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

**SCHEDULE FOR CRO**

| <b>TRANSFeree</b> |             |                | <b>TRANSFEROR</b> |             |                | <b>CASE CAPTION</b>  |
|-------------------|-------------|----------------|-------------------|-------------|----------------|--|
| <b>DIST</b>       | <b>DIV.</b> | <b>C.A.NO.</b> | <b>DIST</b>       | <b>DIV.</b> | <b>C.A.NO.</b> |  |
| PAE               | 2           | 09-62913       | CAN               | 3           | 05-01533       | SETTERBERG v. NEWPORT NEWS SHIPBUILDING AND DRY DOCK COMPANY et al |
| PAE               | 2           | 09-62917       | CAN               | 3           | 05-04084       | CLEMMER v. VIAD CORP. et al  |
| PAE               | 2           | 09-62918       | CAN               | 3           | 05-04085       | COURIS et al v. VIAD CORP. et al                                   |
| PAE               | 2           | 09-63699       | CAN               | 3           | 05-04347       | MARCELJA et al v. TODD SHIPYARDS CORPORATION et al                 |
| PAE               | 2           | 09-62921       | CAN               | 3           | 05-04947       | BARTHOLOMEW v. GENERAL ELECTRIC COMPANY et al                      |
| PAE               | 2           | 09-62922       | CAN               | 3           | 05-04998       | RICE et al v. GENERAL ELECTRIC COMPANY                             |
| PAE               | 2           | 09-63700       | CAN               | 3           | 05-05293       | PIERCE et al v. GENERAL ELECTRIC CO.                               |
| PAE               | 2           | 09-62924       | CAN               | 3           | 06-00692       | TAYLOR v. VIAD CORP. et al   |
| PAE               | 2           | 09-62925       | CAN               | 3           | 06-00843       | CODY v. GENERAL ELECTRIC COMPANY                                   |
| PAE               | 2           | 09-62926       | CAN               | 3           | 06-01634       | MATHEWS v. GENERAL ELECTRIC COMPANY et al                          |
| PAE               | 2           | 09-62928       | CAN               | 3           | 06-02901       | TOLVA v. GENERAL ELECTRIC COMPANY                                  |
| PAE               | 2           | 09-62931       | CAN               | 3           | 06-03287       | KOTARSKY v. GENERAL ELECTRIC COMPANY                               |
| PAE               | 2           | 09-62936       | CAN               | 3           | 06-06949       | CERVENKA et al v. GENERAL ELECTRIC COMPANY                         |
| PAE               | 2           | 09-62939       | CAN               | 3           | 08-00229       | Betty Rabener, etc. v. General Electric Co., et al.                |
| PAE               | 2           | 09-62941       | CAN               | 3           | 08-00980       | HANNA v. GENERAL ELECTRIC COMPANY et al                            |
| PAE               | 2           | 09-62942       | CAN               | 3           | 08-00981       | TAYLOR v. GENERAL ELECTRIC COMPANY et al                           |
| PAE               | 2           | 09-62943       | CAN               | 3           | 08-00982       | Donald Cantlin, Jr. v. General Electric Co., et al.                |
| PAE               | 2           | 09-64299       | CAN               | 3           | 08-02704       | COLLINS et al v. GENERAL ELECTRIC CORPORATION et al                |
| PAE               | 2           | 09-62910       | CAN               | 3           | 08-04656       | LUNSFORD et al v. GENERAL ELECTRIC COMPANY et al                   |
| PAE               | 2           | 09-63702       | CAN               | 3           | 08-04926       | CONNER et al v. GENERAL ELECTRIC COMPANY et al                     |
| PAE               | 2           | 09-63703       | CAN               | 3           | 08-05185       | MORILLAS et al v. GENERAL ELECTRIC COMPANY                         |
| PAE               | 2           | 09-66188       | CAN               | 3           | 09-00364       | MCCURTIS v. FOSTER WHEELER LLC et al                               |

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|-----|-----|----------|----------|-----|----------|--|--|
| PAE | 2   | 09-66189 | CAN      | 3   | 09-00365 | STONE v. GENERAL ELECTRIC COMPANY et al                |  |
| PAE | 2   | 09-67105 | CAN      | 3   | 09-00709 | Daniel Riedinger v. General Electric Co., et al.       |  |
| PAE | 2   | 09-70107 | CAN      | 3   | 09-01269 | Richard Close v. General Electric Co., et al.          |  |
| PAE | 2   | 09-70109 | CAN      | 3   | 09-01322 | WOODY et al GENERAL ELECTRIC COMPANY, ET AL            |  |
| PAE | 2   | 09-74740 | CAN      | 3   | 09-02245 | VALDEZ v. GENERAL ELECTRIC COMPANY                     |  |
| PAE | 2   | 09-74742 | CAN      | 3   | 09-02248 | ANAYA v. GENERAL ELECTRIC COMPANY et al                |  |
| PAE | 2   | 09-74743 | CAN      | 3   | 09-02282 | John McCollister v. General Electric Co., et al.       |  |
| PAE | 2   | 09-74747 | CAN      | 3   | 09-02433 | BRYANT et al v. GENERAL ELECTRIC COMPANY et al         |  |
| PAE | 2   | 09-80020 | CAN      | 3   | 09-02691 | Rex Hancock v. General Electric Co., et al.            |  |
| PAE | 2   | 09-80021 | CAN      | 3   | 09-02692 | Robert Pennington v. General Electric Co.              |  |
| PAE | 2   | 09-80024 | CAN      | 3   | 09-02757 | Charley Brown v. General Electric Co.                  |  |
| PAE | 2   | 09-80025 | CAN      | 3   | 09-02806 | Jack Reynolds v. General Electric Co., et al.          |  |
| PAE | 2   | 09-80027 | CAN      | 3   | 09-02864 | John Otto v. General Electric Co., et al.              |  |
| PAE | 2   | 09-90812 | CAN      | 3   | 09-03185 | BULLOCK v. GENERAL ELECTRIC COMPANY et al              |  |
| PAE | 2   | 09-90817 | CAN      | 3   | 09-03245 | WERT v. GENERAL ELECTRIC COMPANY                       |  |
| PAE | 2   | 10-83237 | CAN      | 3   | 10-04022 | Fong et al v. General Electric Company et al           |  |
| PAE | 2   | 11-60067 | CAN      | 3   | 10-05932 | TURNER v. GENERAL ELECTRIC COMPANY et al               |  |
| PAE | 2   | 11-63528 | CAN      | 3   | 11-00424 | ADAMSON et al v. GENERAL ELECTRIC COMPANY              |  |
| PAE | 2   | 09-62998 | CAN      | 4   | 05-05235 | CALDERON v. GENERAL ELECTRIC COMPANY                   |  |
| PAE | 2   | 09-63001 | CAN      | 4   | 07-01274 | FINKELSTEIN v. GENERAL ELECTRIC COMPANY                |  |
| PAE | 2   | 09-63000 | CAN      | 4   | 08-00969 | PRICE et al v. GENERAL ELECTRIC COMPANY et al          |  |
| PAE | 2   | 09-62905 | CAN      | 4   | 08-04925 | ROOD v. GENERAL ELECTRIC COMPANY et al                 |  |
| PAE | 2   | 09-70112 | CAN      | 4   | 09-02012 | Barbara Hulsen, et al. v. General Electric Co., et al. |  |
| PAE | 2   | 11-60035 | CAN      | 4   | 10-05096 | GOTTSCHALL et al v. GENERAL ELECTRIC COMPANY et al     |  |
| *   | PAE | 2        | 09-63985 | CAN | 3        | 05-01461   | Karl Nylund v. Viacom Inc., et al.                           |
| *   | PAE | 2        | 09-63997 | CAN | 3        | 05-01461   | William Palma v. Viacom Inc., et al.                         |
| *   | PAE | 2        | 09-64005 | CAN | 3        | 05-04510   | Erlinda Riker v. General Electric Co., et al.                |
| *   | PAE | 2        | 09-64008 | CAN | 3        | 05-04945   | Stanley Sparks v. Lockheed Martin Corporation, et al.        |
| *   | PAE | 2        | 09-64010 | CAN | 3        | 05-04945   | Denzile Evans v. Lockheed Martin Corporation, et al.         |
| *   | PAE | 2        | 09-64011 | CAN | 3        | 05-04945   | Philip Thornburg v. Lockheed Martin Corporation, et al.      |
| *   | PAE | 2        | 09-64012 | CAN | 3        | 05-04946   | Jennifer Oxford, et al. v. General Electric Co., et al.      |
| *   | PAE | 2        | 09-64013 | CAN | 3        | 05-04946   | Carolyn Ann Williams, et al. v. General Electric Co., et al. |
| *   | PAE | 2        | 09-64016 | CAN | 4        | 06-02134   | Richard Smid v. General Electric Co., et al.                 |

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|-------|---|----------|-----|---|----------|---|
| * PAE | 2 | 09-64019 | CAN | 3 | 06-03724 | David Daniels v. General Electric Co., et al.               |
| * PAE | 2 | 09-64020 | CAN | 3 | 06-03724 | Wilfred Jodoio v. General Electric Co., et al.              |
| * PAE | 2 | 09-64024 | CAN | 3 | 07-02542 | James Guthrie v. General Electric Co., et al.               |
| * PAE | 2 | 09-64025 | CAN | 3 | 07-02542 | Tony Davidson v. General Electric Co., et al.               |
| * PAE | 2 | 09-64026 | CAN | 3 | 07-02542 | Ronald Zerangue v. General Electric Co., et al.             |
| * PAE | 2 | 09-64027 | CAN | 3 | 07-02542 | Samuel Rester v. General Electric Co., et al.               |
| * PAE | 2 | 09-64028 | CAN | 3 | 07-02542 | John Gray v. General Electric Co., et al.                   |
| * PAE | 2 | 09-64029 | CAN | 3 | 07-02542 | Elmer Parolini v. General Electric Co., et al.              |
| * PAE | 2 | 09-64032 | CAN | 3 | 07-02543 | Michael Halseth v. General Electric Co., et al.             |
| * PAE | 2 | 09-64033 | CAN | 3 | 07-02543 | Robert Wagenman v. General Electric Co., et al.             |
| * PAE | 2 | 09-64035 | CAN | 3 | 07-02543 | Donald Hunter v. General Electric Co., et al.               |
| * PAE | 2 | 09-64039 | CAN | 3 | 08-04400 | Jerry Peal v. General Electric Co., et al.                  |
| * PAE | 2 | 09-64040 | CAN | 3 | 08-04400 | Donald Salisbury v. General Electric Co., et al.            |
| * PAE | 2 | 09-64041 | CAN | 3 | 08-04400 | Oscar Sunken v. General Electric Co., et al.                |
| * PAE | 2 | 09-64042 | CAN | 3 | 08-04401 | Albert Hutto v. General Electric Co., et al.                |
| * PAE | 2 | 09-64045 | CAN | 3 | 08-04401 | Lynn Patrick Schmidt v. General Electric Co., et al.        |
| * PAE | 2 | 09-64046 | CAN | 3 | 08-04401 | Michael Steinberger v. General Electric Co., et al.         |
| * PAE | 2 | 09-64047 | CAN | 3 | 08-04401 | Barry Burnham v. General Electric Co., et al.               |
| * PAE | 2 | 09-64048 | CAN | 3 | 08-04415 | Larry Yabarra v. General Electric Co.                       |
| * PAE | 2 | 09-64049 | CAN | 3 | 08-04415 | Norman Carveth v. General Electric Co.                      |
| * PAE | 2 | 09-64050 | CAN | 3 | 08-04415 | Charles Sarver v. General Electric Co.                      |
| * PAE | 2 | 09-64051 | CAN | 3 | 08-04415 | Bland Burks v. General Electric Co.                         |
| * PAE | 2 | 09-64059 | CAN | 3 | 08-04461 | Joseph Murray v. General Electric Co., et al.               |
| * PAE | 2 | 09-64303 | CAN | 3 | 08-03181 | Jeffery Mccue, et al. v. General Electric Co., et al.       |
| * PAE | 2 | 09-64310 | CAN | 3 | 08-00228 | John L. Davis v. General Electric Co., et al.               |
| * PAE | 2 | 09-64312 | CAN | 3 | 08-00228 | John L. Davis v. General Electric Co., et al.               |
| * PAE | 2 | 09-64314 | CAN | 3 | 08-00228 | John L. Davis v. General Electric Co., et al.               |
| * PAE | 2 | 09-64315 | CAN | 3 | 07-04352 | Gillian Carolan, et al. v. General Electric Co.             |
| * PAE | 2 | 09-64316 | CAN | 3 | 07-04352 | Gillian Carolan, et al. v. General Electric Co.             |
| * PAE | 2 | 09-64317 | CAN | 3 | 08-00230 | Naomi Bearman-white, et al. v. General Electric Co., et al. |
| * PAE | 2 | 09-68010 | CAN | 3 | 09-00363 | Wesley Joe Embrey, et al. v. General Electric Co.           |
| * PAE | 2 | 09-68013 | CAN | 3 | 09-00363 | Clair Yarbrough, et al. v. General Electric Co.             |

\* – denotes that the civil action has been severed.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS : Consolidated Under  
LIABILITY LITIGATION (No. VI) : MDL DOCKET NO. 875  
:  
VARIOUS PLAINTIFFS **FILED** : Transferred from the Northern  
District of California  
:  
v. **MAY - 8 2012** : Cases listed in Exhibit "A,"  
attached  
:  
VARIOUS DEFENDANTS **MICHAEL E. KUNZ, Esq.**  
By                      Dep. Clerk

**SUGGESTION OF REMAND**

**AND NOW**, this **8th** day of **May, 2012**, it is hereby  
**ORDERED** that, upon review of the above captioned case under MDL-  
875 Administrative Order no. 18 (01-md-875, doc. no. 6197), the  
Court finds that, as to the above-captioned case:

- a.) Plaintiff has complied with MDL-875 Administrative  
Orders 12 and 12A (see the MDL 875 website's Administrative  
Orders page, at <http://www.paed.uscourts.gov/mdl875d.asp>).
- b.) Parties have completed their obligations under the Rule  
16 order issued by the Court.
- c.) All discovery has been completed.
- d.) The Court has adjudicated all outstanding motions,  
including dispositive motions. Particularly relevant rulings  
include:
  - i. Plaintiffs and Defendant General Electric  
Company ("GE") in this case agreed to be  
bound by certain rulings on motions for  
summary judgment filed in similar cases. In  
those other cases, GE's motions for summary

judgment were granted in part and denied in part.<sup>1</sup>

e.) Rule 18 settlement discussions have been exhausted at this time as to the remaining viable defendants.

f.) The Court finds that this case is prepared for trial without delay once on the transferor court's docket, subject to any motions trial-related in limine (including Daubert challenges).

g.) The remaining viable Defendants for trial are listed on Exhibit "A," attached.

h.) Any demand for punitive damages is severed, and claims for punitive or exemplary damages are retained by the MDL-875 Court. See Fed. R. Civ. P. 42(b).

Accordingly, the Court **SUGGESTS** that the above-captioned case should be **REMANDED** to the United States District Court for the **Northern District of California** for resolution of all matters pending within this case except punitive damages.<sup>2</sup>

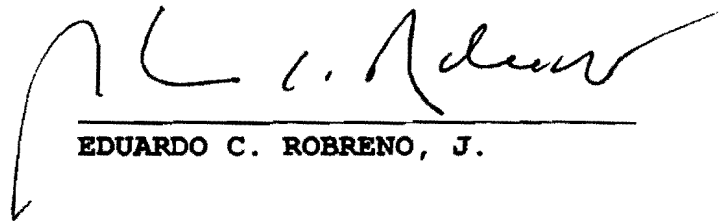
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<sup>1</sup> The relevant opinion by Judge Robreno is available here:  
<http://www.paed.uscourts.gov/documents/MDL/MDL875/opinions/4.3.12%20Memo%20opinion%20re%205%20cal%20cases.pdf>

<sup>2</sup> The Court finds that the issue of punitive damages must be resolved at a future date with regard to the entire MDL-875 action, and therefore any claims for punitive or exemplary damages are hereby **SEVERED** from this case and retained by the MDL-875 Court in the Eastern District of Pennsylvania. See In re Collins, 233 F.3d 809, 810 (3d Cir. 2000) ("It is responsible public policy to give priority to compensatory claims over exemplary punitive damage windfalls; this prudent conservation more than vindicates the Panel's decision to withhold punitive

Alternatively, parties in the below-listed cases have **seven (7) days** within which to consent to a trial before an Article III or Magistrate Judge in the Eastern District of Pennsylvania. In such an event, if consent is granted, a trial will be scheduled within sixty (60) days, on a date convenient to the parties in Philadelphia, Pennsylvania, and the Suggestion of Remand will be vacated.

**AND IT IS SO ORDERED.**



**EDUARDO C. ROBRENO, J.**

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damage claims on remand."); see also In re Roberts, 178 F.3d 181 (3d Cir. 1999).

**EXHIBIT A**

| EDPA No. | ND Cal. No. | District | Caption  | Pending Defendants   |
|----------|-------------|----------|--|--|
| 09-62905 | 08-04925    | CA-N     | Rood v. General Electric Company et al                             | GENERAL ELECTRIC COMPANY   |
| 09-62910 | 08-04656    | CA-N     | Lunsford et al v. General Electric Company et al                   | GENERAL ELECTRIC COMPANY   |
| 09-62913 | 05-01533    | CA-N     | Setterberg v. Newport News Shipbuilding And Dry Dock Company et al | GENERAL ELECTRIC COMPANY   |
| 09-62917 | 05-04084    | CA-N     | Clemmer v. Viad Corp., et al.                                      | ALSTOM POWER, INC.; GENERAL ELECTRIC COMPANY                     |
| 09-62918 | 05-04085    | CA-N     | Couris et al v. Viad Corp. et al                                   | GENERAL ELECTRIC COMPANY   |
| 09-62921 | 05-04947    | CA-N     | Bartholomew v. General Electric Company et al                      | GENERAL ELECTRIC COMPANY   |
| 09-62922 | 05-04998    | CA-N     | Rice, et al. v. General Electric Co., et al.                       | GENERAL ELECTRIC COMPANY   |
| 09-62924 | 06-00692    | CA-N     | Taylor v. Viad Corp. et al   | GENERAL ELECTRIC COMPANY   |
| 09-62925 | 06-00843    | CA-N     | Cody v. General Electric Company                                   | GENERAL ELECTRIC COMPANY   |
| 09-62926 | 06-01634    | CA-N     | Mathews v. General Electric Company et al                          | GENERAL ELECTRIC COMPANY   |
| 09-62928 | 06-02901    | CA-N     | Tolva v. General Electric Company                                  | GENERAL ELECTRIC COMPANY   |
| 09-62931 | 06-03287    | CA-N     | Kotarsky v. General Electric Company                               | GENERAL ELECTRIC COMPANY   |
| 09-62936 | 06-06949    | CA-N     | Cervenka et al v. General Electric Company                         | GENERAL ELECTRIC COMPANY   |
| 09-62939 | 08-00229    | CA-N     | Rabener v. General Electric Company et al                          | CRAMP SHIPBUILDING AND DRYDOCK COMPANY; GENERAL ELECTRIC COMPANY |
| 09-62941 | 08-00980    | CA-N     | Hanna v. General Electric Company et al                            | GENERAL ELECTRIC COMPANY   |



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| 09-62942 | 08-00981 | CA-N | Taylor v. General Electric Company et al           | GENERAL ELECTRIC COMPANY  |
| 09-62943 | 08-00982 | CA-N | Cantlin v. General Electric Company, et al.        | GENERAL ELECTRIC COMPANY  |
| 09-62998 | 05-05235 | CA-N | Calderon v. General Electric Company               | GENERAL ELECTRIC COMPANY  |
| 09-63000 | 08-00969 | CA-N | Price et al v. General Electric Company et al      | CRAMP SHIPBUILDING AND DRYDOCK COMPANY; GENERAL ELECTRIC COMPANY; NEW YORK SHIPBUILDING CORP. |
| 09-63001 | 07-01274 | CA-N | Finkelstein v. General Electric Company            | GENERAL ELECTRIC COMPANY  |
| 09-63699 | 05-04347 | CA-N | Marcelja et al v. Todd Shipyards Corporation et al | GENERAL ELECTRIC COMPANY  |
| 09-63700 | 05-05293 | CA-N | Pierce et al v. General Electric Co.               | GENERAL ELECTRIC COMPANY  |
| 09-63702 | 08-04926 | CA-N | Conner et al v. General Electric Company et al     | GENERAL ELECTRIC COMPANY  |
| 09-63703 | 08-05185 | CA-N | Morillas et al v. General Electric Company         | GENERAL ELECTRIC COMPANY  |
| 09-63985 | 05-01461 | CA-N | Nylund v. Viacom Inc. et al                        | GENERAL ELECTRIC COMPANY  |
| 09-63997 | 05-01461 | CA-N | Palma v. Viacom Inc. et al                         | GENERAL ELECTRIC COMPANY  |
| 09-64005 | 05-04510 | CA-N | Riker v. General Electric Company et al            | GENERAL ELECTRIC COMPANY  |
| 09-64008 | 05-04945 | CA-N | Sparks v. Lockheed Martin Corporation et al        | GENERAL ELECTRIC COMPANY  |
| 09-64010 | 05-04945 | CA-N | Evans v. General Electric Company                  | GENERAL ELECTRIC COMPANY  |
| 09-64011 | 05-04945 | CA-N | Thornburg v. Lockheed Martin Corporation et al     | GENERAL ELECTRIC COMPANY  |

|          |          |      |  |   |
|----------|----------|------|--|---|
| 09-64012 | 05-04946 | CA-N | Oxford v. General Electric Co., et al.       | GENERAL ELECTRIC COMPANY                                |
| 09-64013 | 05-04946 | CA-N | Williams v. General Electric Company et al   | GENERAL ELECTRIC COMPANY                                |
| 09-64016 | 06-02134 | CA-N | Smid v. General Electric Company et al       | GENERAL ELECTRIC COMPANY                                |
| 09-64019 | 06-03724 | CA-N | Daniels v. General Electric Company et al    | GENERAL ELECTRIC COMPANY                                |
| 09-64020 | 06-03724 | CA-N | Jodoin v. General Electric Company et al     | GENERAL ELECTRIC COMPANY                                |
| 09-64024 | 07-02542 | CA-N | Guthrie v. General Electric Company et al    | GENERAL ELECTRIC COMPANY                                |
| 09-64025 | 07-02542 | CA-N | Davidson v. General Electric Company et al   | GENERAL ELECTRIC COMPANY                                |
| 09-64026 | 07-02542 | CA-N | Zerangue v. General Electric Company et al   | GENERAL ELECTRIC COMPANY                                |
| 09-64027 | 07-02542 | CA-N | Rester v. General Electric Company et al     | GENERAL ELECTRIC COMPANY                                |
| 09-64028 | 07-02542 | CA-N | Gray v. General Electric Company et al       | GENERAL ELECTRIC COMPANY                                |
| 09-64029 | 07-02542 | CA-N | Parolini v. General Electric Company, et al. | SYD CARPENTER MARINE CONTRACTOR, INC.; GENERAL ELECTRIC |
| 09-64032 | 07-02543 | CA-N | Halseth v. General Electric Company et al    | GENERAL ELECTRIC COMPANY                                |
| 09-64033 | 07-02543 | CA-N | Wagenman v. General Electric Company et al   | GENERAL ELECTRIC COMPANY                                |
| 09-64035 | 07-02543 | CA-N | Hunter v. General Electric Company et al     | GENERAL ELECTRIC COMPANY                                |
| 09-64039 | 08-04400 | CA-N | Peal v. General Electric Company et al       | GENERAL ELECTRIC COMPANY                                |
| 09-64040 | 08-04400 | CA-N | Salisbury v. General Electric Company et al  | GENERAL ELECTRIC COMPANY                                |
| 09-64041 | 08-04400 | CA-N | Sunken v. General Electric Company et al     | GENERAL ELECTRIC COMPANY                                |

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|----------|----------|------|--|--------------------------|
| 09-64042 | 08-04401 | CA-N | Hutto v. General Electric Company et al                | GENERAL ELECTRIC COMPANY |
| 09-64045 | 08-04401 | CA-N | Schmidt v. General Electric Company et al              | GENERAL ELECTRIC COMPANY |
| 09-64046 | 08-04401 | CA-N | Steinberger v. General Electric Company et al          | GENERAL ELECTRIC COMPANY |
| 09-64047 | 08-04401 | CA-N | Bumham v. General Electric Company et al               | GENERAL ELECTRIC COMPANY |
| 09-64048 | 08-04415 | CA-N | Yabarra v. General Electric Company                    | GENERAL ELECTRIC COMPANY |
| 09-64049 | 08-04415 | CA-N | Carveth v. General Electric Company                    | GENERAL ELECTRIC COMPANY |
| 09-64050 | 08-04415 | CA-N | Sarver v. General Electric Company                     | GENERAL ELECTRIC COMPANY |
| 09-64051 | 08-04415 | CA-N | Burks v. General Electric Company                      | GENERAL ELECTRIC COMPANY |
| 09-64059 | 08-04461 | CA-N | Murray v. General Electric Company et al               | GENERAL ELECTRIC COMPANY |
| 09-64299 | 08-02704 | CA-N | Collins et al v. General Electric Corporation et al    | GENERAL ELECTRIC COMPANY |
| 09-64303 | 08-03181 | CA-N | Lindsey et al v. General Electric Company et al        | GENERAL ELECTRIC COMPANY |
| 09-64310 | 08-00228 | CA-N | Schoelzel v. General Electric Company et al            | GENERAL ELECTRIC COMPANY |
| 09-64312 | 08-00228 | CA-N | Watson v. General Electric Company et al               | GENERAL ELECTRIC COMPANY |
| 09-64314 | 08-00228 | CA-N | Eddy v. General Electric Company et al                 | GENERAL ELECTRIC COMPANY |
| 09-64315 | 07-04352 | CA-N | Carolan et al v. General Electric Company              | GENERAL ELECTRIC COMPANY |
| 09-64316 | 07-04352 | CA-N | Prettyman et al v. General Electric Company            | GENERAL ELECTRIC COMPANY |
| 09-64317 | 08-00230 | CA-N | Beaurman-White et al v. General Electric Company et al | GENERAL ELECTRIC COMPANY |

|          |          |      |   |  |
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| 09-66188 | 09-00364 | CA-N | Mccurtis v. Foster Wheeler Llc et al                | NEWPORT NEWS SHIPBUILDING AND DRY DOCK COMPANY; GENERAL ELECTRIC |
| 09-66189 | 09-00365 | CA-N | Stone v. General Electric Company et al             | GENERAL ELECTRIC COMPANY   |
| 09-67105 | 09-00709 | CA-N | Riedinger v. General Electric Company, et al.       | GENERAL ELECTRIC COMPANY   |
| 09-68010 | 09-00363 | CA-N | Embrey et al v. General Electric Company, et al.    | GENERAL ELECTRIC COMPANY   |
| 09-68013 | 09-00363 | CA-N | Yarbrough et al v. General Electric Company, et al. | GENERAL ELECTRIC COMPANY   |
| 09-70107 | 09-01269 | CA-N | Close v. General Electric Co., et al.               | GENERAL ELECTRIC COMPANY   |
| 09-70109 | 09-01322 | CA-N | Woody et al General Electric Company, et al         | GENERAL ELECTRIC COMPANY   |
| 09-70112 | 09-02012 | CA-N | Hulsen et al v. General Electric Company et al      | GENERAL ELECTRIC COMPANY   |
| 09-74740 | 09-02245 | CA-N | Valdez v. General Electric Company                  | GENERAL ELECTRIC COMPANY   |
| 09-74742 | 09-02248 | CA-N | Anaya v. General Electric Company et al             | GENERAL ELECTRIC COMPANY   |
| 09-74743 | 09-02282 | CA-N | McCollister v. General Electric Company, et al.     | GENERAL ELECTRIC COMPANY   |
| 09-74747 | 09-02433 | CA-N | Bryant et al v. General Electric Company et al      | GENERAL ELECTRIC COMPANY   |
| 09-80020 | 09-02691 | CA-N | Hancock v. General Electric Company, et al.         | GENERAL ELECTRIC COMPANY   |
| 09-80021 | 09-02692 | CA-N | Pennington v. General Electric Company, et al.      | GENERAL ELECTRIC COMPANY   |
| 09-80024 | 09-02757 | CA-N | Brown v. General Electric Company, et al.           | GENERAL ELECTRIC COMPANY   |
| 09-80025 | 09-02806 | CA-N | Reynolds v. General Electric Co., et al.            | NORTHROP GRUMMAN SHIPBUILDING, INC.; GENERAL ELECTRIC            |

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| 09-80027 | 09-02864 | CA-N | Otto v. General Electric Company, et al.         | GENERAL<br>ELECTRIC<br>COMPANY |
| 09-90812 | 09-03185 | CA-N | Bullock v. General Electric Company et al        | GENERAL<br>ELECTRIC<br>COMPANY |
| 09-90817 | 09-03245 | CA-N | Wert v. General Electric Company                 | GENERAL<br>ELECTRIC<br>COMPANY |
| 10-83237 | 10-04022 | CA-N | Fong, et al. v. General Electric Company, et al. | GENERAL<br>ELECTRIC<br>COMPANY |
| 11-60035 | 10-05096 | CA-N | Gottschall v. General Electric Company, et al.   | GENERAL<br>ELECTRIC<br>COMPANY |
| 11-60067 | 10-05932 | CA-N | Turner v. General Electric Company, et al.       | GENERAL<br>ELECTRIC<br>COMPANY |
| 11-63528 | 11-00424 | CA-N | Adamson v. General Electric Company, et al.      | GENERAL<br>ELECTRIC<br>COMPANY |

## SUGGESTION OF REMAND MEMORANDUM

Updated November 4, 2011

**To:** Transferor Judge

**From:** Judge Eduardo C. Robreno, Presiding Judicial Officer, MDL 875

**Re:** Asbestos case that has been transferred to your court

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### **Status of the case that has been transferred from the Eastern District of Pennsylvania**

This case has been transferred back to the transferor court, from the MDL 875 Court in the Eastern District of Pennsylvania.

Cases that are remanded to transferor courts are ordinarily ready for trial, pursuant to this Court's Administrative Order No. 18 (see <http://www.paed.uscourts.gov/mdl875d.asp>).

Specific information regarding the history of a specific case while it was in the MDL 875 Court can be found in the Suggestion of Remand (above) that the MDL Court submitted to the Judicial Panel on Multidistrict Litigation in connection with its Order.

### **History of MDL 875, In re: Asbestos Products Liability Litigation**

MDL 875, In re: Asbestos Products Liability Litigation, involves issues relating to personal injury damages caused by asbestos products. It currently consists of about 12,000 cases transferred by the Judicial Panel on Multidistrict Litigation, which has been transferring cases to the Eastern District of Pennsylvania since 1991. Each case typically consists of claims by multiple plaintiffs against multiple defendants. Since its inception, the litigation has involved more than 100,000 cases and up to ten million claims, including land-based and maritime claims ("MARDOC").

Beginning with Administrative Order No. 12 (see <http://www.paed.uscourts.gov/mdl875d.asp>) in 2008, the Court initiated an aggressive, pro-active policy to facilitate the processing of cases. The policy involves giving newly transferred cases scheduling orders; setting cases for settlement conferences; having motion hearings; and remanding trial-ready cases to transferor courts, or, in the alternative, holding trials in the Eastern District of Pennsylvania (if so requested by the parties).

### **Resources available for transferor courts on the MDL 875 website**

More information about the history of MDL 875 can be found on the Eastern District of Pennsylvania's MDL 875 website at <http://www.paed.uscourts.gov/mdl875a.asp>. Additionally, all Administrative Orders issued in this litigation (including current Orders and those no longer in effect) can be found at <http://www.paed.uscourts.gov/mdl875d.asp>.

Also on the website is an Excel spreadsheet of all decisions issued by the Presiding Officer on

substantive and procedural matters since 2008 (see <http://www.paed.uscourts.gov/mdl875n.asp>). This spreadsheet is updated regularly, and it can be sorted by jurisdiction, case caption, subject matter, party name, etc. It is also word searchable. The MDL-875 Court intends this spreadsheet to be a helpful resource for transferor courts addressing issues similar to those already addressed by the MDL-875 Court.

Other options available to assist the Transferor Court with legal research include searchable databases created by LexisNexis and Westlaw. Directions on how to access these databases can be found on <http://www.paed.uscourts.gov/mdl875n.asp>.

### **Contact information for the MDL 875 Court**

The MDL 875 Court is ready, willing and able to assist the transferor court with any matters relating to the transfer of the case or any substantive or procedural issues that may arise.

You may contact the Presiding Judicial Officer (Judge\_Eduardo\_Robreno@paed.uscourts.gov), the MDL 875 asbestos law clerk (Michele\_Ventura@paed.uscourts.gov or (267) 299-7422), or the Clerk's Office ((267) 299-7012) for further assistance.

### **Intercircuit Assignment Committee**

The Intercircuit Assignment Committee of the Judicial Conference, under the leadership of Judge J. Frederick Motz of the District of Maryland, can assist in the identification and assignment of a senior judge from another District who is ready, willing and able to preside over the trial of this case. If appropriate, please contact Judge Motz at Judge\_J\_Frederick\_Motz@mdd.uscourts.gov or (410) 962-0782.