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ASBESTOS,CA-N,MDL-875

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:12-cv-60022-ER
Internal Use Only**

NORD v. CBS CORPORATION et al
Assigned to: HONORABLE EDUARDO C.
ROBRENO
Case in other court: CA-N, 11-06708
Cause: 28:1332 Diversity-Asbestos Litigation

Date Filed: 01/20/2012
Jury Demand: Defendant
Nature of Suit: 368 P.I. :
Asbestos
Jurisdiction: Diversity

Plaintiff

DAVID NORD

represented by **ALAN R. BRAYTON**
BRAYTON, PURCELL LLP
222 RUSH LANDING RD
PO BOX 6169
NOVATO, CA 94945
415-898-1555
Email:
abravton@braytonlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

DAVID R. DONADIO
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ATTORNEY TO BE NOTICED

V.

Defendant

CBS CORPORATION
formerly known as
VIACOM INC.
formerly known as
WESTINGHOUSE
ELECTRIC CORPORATION

represented by **KEVIN DOUGLAS JAMISON**
POND NORTH LLP
350 SOUTH GRAND AVE
#3300
LOS ANGELES, CA 90071
213-617-6170
Email:
kjamison@pondnorth.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

FOSTER WHEELER LLC
TERMINATED: 02/28/2013
formerly known as
FOSTER WHEELER
CORPORATION

represented by **SHELLEY K. TINKOFF**
BRYDON HUGO & PARKER
135 MAIN ST 20TH FL
SAN FRANCISCO, CA 94105
415-808-0300
Email: tinkoff@bhplaw.com
TERMINATED: 02/28/2013

Defendant

**METROPOLITAN LIFE
INSURANCE COMPANY**

represented by **SHEHZAD HASAN**
STEPTOE & JOHNSON LLP
750 SEVENTH AVE
NEW YORK, NY 10019
212-506-3900
Email: tmurphy@steptoe.com

ATTORNEY TO BE NOTICED

Defendant

**PARKER HANNIFIN
CORPORATION**
TERMINATED: 09/06/2012

represented by **JOSEPH BLAISE ADAMS**
BASSI EDLIN HUIE & BLUM
LLP
351 CALIFORNIA STREET
SUITE 200
SAN FRANCISCO, CA 94104
415-397-9006
Email: jadams@behblaw.com
TERMINATED: 09/06/2012

Defendant

**CROWN CORK & SEAL
COMPANY, INC.**
TERMINATED: 12/18/2012

represented by **AMBER R. CRAIG**
ARMSTRONG & ASSOCIATES
LLP
ONE KAISER PLAZA SUITE
625
OAKLAND, CA 94612
510-433-1830
Email:
amber.craig@armstrongetal.com

TERMINATED: 12/18/2012

Defendant

**HOPEMAN BROTHERS,
INC.**

Defendant

**GENERAL ELECTRIC
COMPANY**

represented by **DEREK S. JOHNSON**
WALSWORTH RANKLIN
BEVINS & MCCALL LLP
601 MONTGOMERY ST 9TH FL

SAN FRANCISCO, CA 94111
415-781-7900
Email: djohnson@wfbm.com
ATTORNEY TO BE NOTICED

Defendant

INGERSOLL-RAND

COMPANY

TERMINATED: 04/10/2012

Date Filed	#	Docket Text
01/20/2012	view3	AMENDED ADMINISTRATIVE ORDER NO. 11 THAT THE MODIFICATIONS TO THE EXISTING PROCEDURES FOR THE PROCESSING OF CASES, DOCKETS, PLEADINGS AND ORDERS IN MDL 875 CASES ARE ADOPTED AS OUTLINED IN THIS ORDER, ETC. ENTERED AND COPIES MAILED. (ch,) (Entered: 01/23/2012)
01/20/2012	view4	NOTICE TO COUNSEL (ch,) (Entered: 01/23/2012)
01/20/2012	view5	DOCKET ENTRIES FILED IN NORTHERN DISTRICT OF CALIFORNIA (ch,) (Entered: 01/23/2012)
01/20/2012	view6	TRANSFER ORDER NO. 1155 THAT THE CLERK OF COURT IS ORDERED TO INITIATE THE PROCEDURES FOR THE TRANSFER OF MDL 875 CASES FROM THE U.S.D.C. NORTHERN DISTRICT OF CALIFORNIA, IN ACCORDANCE WITH THE TERMS OF THIS COURT'S ADMINISTRATIVE ORDER NO. 11. ENTERED AND COPIES MAILED. (ch,) (Entered: 01/23/2012)
01/24/2012	view7	ANSWER to Complaint <i>with Certificate of Service</i> by METROPOLITAN LIFE INSURANCE COMPANY.(HASAN, SHEHZAD) (Entered: 01/24/2012)
01/24/2012	view8	Disclosure Statement Form pursuant to FRCP 7.1 including MetLife, Inc. with Certificate of Service by METROPOLITAN LIFE INSURANCE COMPANY.(HASAN, SHEHZAD) (Entered: 01/24/2012)
01/30/2012	view9	ANSWER to Complaint <i>for Personal Injury/Products Liability-Asbestos</i> by GENERAL ELECTRIC COMPANY.(JOHNSON, DEREK)

		(Entered: 01/30/2012)
01/30/2012	view10	ANSWER to Complaint <i>and Demand for Jury Trial</i> by CBS CORPORATION.(JAMISON, KEVIN) (Entered: 01/30/2012)
01/30/2012	view11	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by CBS CORPORATION.(JAMISON, KEVIN) (Entered: 01/30/2012)
01/30/2012	view12	<i>CROWN CORK & SEAL COMAPNY, INC.'S ANSWER to Complaint and CERTIFICATE OF SERVICE</i> by CROWN CORK & SEAL COMPANY, INC..(CRAIG, AMBER) (Entered: 01/30/2012)
01/30/2012	view13	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by CROWN CORK & SEAL COMPANY, INC..(CRAIG, AMBER) (Entered: 01/30/2012)
02/06/2012	view14	ORDER THAT IN THE CASES LISTED IN EXHIBIT "A", ATTACHED, A STATUS AND SCHEDULING CONFERENCE WILL BE HELD ON TUESDAY, 2/14/2012 AT 2:00 P.M., IN COURTROOM 15A, ETC. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 2/3/2012; 2/7/2012 ENTERED AND COPIES MAILED, E-MAILED (kk,) (Entered: 02/07/2012)
02/08/2012	view15	Statement <i>OF CASE STATUS AS TO PLAINTIFF DAVID NORD (ADMINISTRATIVE ORDER NO. 12)</i> by DAVID NORD. (CHU, KIMBERLY) (Entered: 02/08/2012)
02/09/2012	view16	ANSWER to Complaint by FOSTER WHEELER LLC.(TINKOFF, SHELLEY) (Entered: 02/09/2012)
02/09/2012	view17	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by FOSTER WHEELER LLC.(TINKOFF, SHELLEY) (Entered: 02/09/2012)
02/13/2012	view18	STATUS REPORT <i>for February 14, 2012, Initial Status and Scheduling Conference</i> by DAVID NORD. (CHU, KIMBERLY) (Entered: 02/13/2012)

02/16/2012	view19	ORDERED THAT SCHEDULING DEADLINES ARE SET AS OUTLINED IN THIS ORDER, ETC.. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 2/15/2012. 2/17/2012 ENTERED AND COPIES MAILED, E-MAILED.(kk,) (Entered: 02/17/2012)
02/24/2012	view20	Disclosure with Certificate of Service by FOSTER WHEELER LLC.(TINKOFF, SHELLEY) (Entered: 02/24/2012)
02/28/2012	view21	Disclosure with Certificate of Service by CBS CORPORATION.(JAMISON, KEVIN) (Entered: 02/28/2012)
03/06/2012	view22	<i>Defendant Parker Hannifin Corporation's</i> ANSWER to Complaint for Personal Injury/Product Liability by PARKER HANNIFIN CORPORATION.(ADAMS, JOSEPH) (Entered: 03/06/2012)
04/05/2012	view23	NOTICE of Voluntary Dismissal by All Plaintiffs As To INGERSOLL-RAND COMPANY, ONLY, WITHOUT PREJUDICE. EACH PARTY TO BEAR ITS OWN FEES AND COSTS.(DONADIO, DAVID) (Entered: 04/05/2012)
04/10/2012	view24	STIPULATION AND ORDER THAT THE DEFENDANT INGERSOLL-RAND COMPANY IS DISMISSED FROM THIS ACTION WITHOUT PREJUDICE. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 4/9/2012. 4/11/2012 ENTERED AND COPIES MAILED, E-MAILED(kk,) (Entered: 04/11/2012)
05/22/2012	view25	AFFIDAVIT of Service by MANDY PODESTA re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>CROWN CORK & SEAL COMPANY INC</i> upon B. MCVAUGH by PERSONAL SERVICE VIA CERTIFIED MAIL on 1/10/2012 (DONADIO, DAVID) (Entered: 05/22/2012)

05/22/2012	view26	AFFIDAVIT of Service by MANDY PODESTA re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>HOPEMAN BROTHERS, INC.</i> upon LYNNETTE BIRD by PERSONAL SERVICE BY CERTIFIED MAIL on 01/09/2012 (DONADIO, DAVID) (Entered: 05/22/2012)
05/22/2012	view27	AFFIDAVIT of Service by MANDY PODESTA re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>METROPOLITAN LIFE INSURANCE</i> upon F. GREEN by PERSONAL SERVICE BY CERTIFIED MAILING on 01/11/2012 (DONADIO, DAVID) (Entered: 05/22/2012)
05/22/2012	view28	AFFIDAVIT of Service by MQANDY PODESTA re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>PARKER - HANNIFIN</i> upon ILLETA E TUCKER by PERSONAL SERVICE VIA CERTIFIED MAILING on 01/09/2012 (DONADIO, DAVID) (Entered: 05/22/2012)
05/22/2012	view29	AFFIDAVIT of Service by RAFFAELLA TOZZI re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>FOSTER WHEELER LLC (FKA FOSTER WHEELER CORPORATION)</i> upon ELAINE MCINTOSH by PERSONAL SERVICE on 01/18/2012 (DONADIO, DAVID) (Entered: 05/22/2012)

05/22/2012	view30	AFFIDAVIT of Service by MANDY PODESTA re: served Summons, the Complaint with attached Exhibit, Notice of Tag Along, Certificate of Interested persons, Declination re Magistrate, and the initial order of the court, and other papers from the clerk of the court for service upon defendants <i>CBS CORPORATION, (fka VIACOM fka WESTINGHOUSE ELECTRIC CORPORATION)</i> upon M. CHECRILLA by PERSONAL SERVICE VIA CERTIFIED MAILING on 01/09/2012 (DONADIO, DAVID) (Entered: 05/22/2012)
08/16/2012	view31	ORDER THAT A FINAL PRE-REMAND HEARING, INCLUDING ORAL ARGUMENT ON ALL OPPOSED SUMMARY JUDGMENT MOTIONS, WILL BE HELD ON 11/26/2012 AT 10:00 AM IN COURTROOM 15-A, JAMES A. BYRNE UNITED STATES COURTHOUSE, 601 MARKET STREET, PHILADELPHIA, PA 19106, ETC. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 8/16/2012. 8/17/2012 ENTERED AND COPIES MAILED, E-MAILED.(kk,) (Entered: 08/17/2012)
09/04/2012	view32	REQUEST for Dismissal filed by PARKER HANNIFIN CORPORATION.(ADAMS, JOSEPH) Modified on 9/5/2012 (md). (Entered: 09/04/2012)
09/04/2012	 view	(Court only) ***Motions terminated: 32 MOTION to Dismiss filed by PARKER HANNIFIN CORPORATION. (md) (Entered: 09/05/2012)
09/06/2012	view33	STIPULATION AND ORDER THAT THE DEFENDANT PARKER HANNIFIN CORPORATION IS DISMISSED WITH PREJUDICE AND WITH EACH PARTY TO BEAR THEIR OWN COSTS AND FEES. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 9/5/2012. 9/7/2012 ENTERED AND COPIES MAILED, E-MAILED.(kk,) (Entered: 09/07/2012)
11/21/2012	view34	STATUS REPORT <i>RE FINAL PRE-REMAND CONFERENCE ON NOVEMBER 26, 2012</i> by DAVID NORD. (CHU, KIMBERLY) (Entered: 11/21/2012)

12/13/2012	view35	NOTICE of Voluntary Dismissal by All Plaintiffs As To CROWN CORK & SEAL COMPANY, INC., ONLY, WITH PREJUDICE. EACH PARTY TO BEAR ITS OWN FEES AND COSTS.(DONADIO, DAVID) (Entered: 12/13/2012)
12/18/2012	view36	STIPULATION AND ORDER THAT DEFENDANT, CROWN CORK & SEAL COMPANY, INC., IS DISMISSED FROM THIS ACTION WITH PREJUDICE WITH EACH PARTY TO BEAR ITS OWN FEES AND COSTS. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 12/17/2012. 12/18/2012 ENTERED AND COPIES MAILED AND E-MAILED. (ems) (Entered: 12/18/2012)
02/25/2013	view37	NOTICE of Voluntary Dismissal by All Plaintiffs As To FOSTER WHEELER LLC FKA FOSTER WHEELER CORPORATION, ONLY, WITH PREJUDICE. EACH PARTY TO BEAR ITS OWN FEES AND COSTS.(DONADIO, DAVID) (COPY FORWARDED TO JUDGE FOR APPROVAL) Modified on 2/26/2013 (uh,). (Entered: 02/25/2013)
02/26/2013	view38	ORDER THAT A RULE IS ISSUED FOR PLAINTIFFS TO SHOW CAUSE WHY THE CASES ON EXHIBIT "A," ATTACHED, SHOULD NOT BE DISMISSED OR REMANDED TO THE TRANSFEROR COURT. A WRITTEN REPORT FOR EACH CASE MUST BE EMAILED TO THE MDL 875 CLERK AT MICHELE_VENTURA@PAED.USCOURTS.GOV, AND FILED ON THE DOCKET, NO LATER THAN 3/13/13.. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 2/26/13. 2/27/13 ENTERED AND COPIES MAILED, E-MAILED. (dp,) (Entered: 02/27/2013)
02/27/2013	view39	ORDER THAT THE PARTIES REQUEST THIS COURT DISMISS DEFENDANT FOSTER WHEELER F/K/A FOSTER WHEELER CORPORATION FROM THIS ACTION WITH PREJUDICE. EACH PARTY TO BEAR ITS OWN

		FEES AND COSTS.. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 2/27/13. 2/28/13 ENTERED AND COPIES MAILED, E-MAILED. (dp,) (Entered: 02/28/2013)
03/13/2013	view40	STATUS REPORT <i>re ORDER TO SHOW CAUSE DATED FEBRUARY 26, 2013</i> by DAVID NORD. (CHU, KIMBERLY) (Entered: 03/13/2013)
03/25/2013	view41	ORDER THAT THE COURT SUGGEST 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. SIGNED BY HONORABLE EDUARDO C. ROBRENO ON 3/25/2013. 3/25/2013 ENTERED AND COPIES MAILED, E-MAILED.(kk,) (Entered: 03/26/2013)
04/03/2013	view42	Copy of Conditional Remand Order from the Judicial Panel on Multidistrict Litigation that all claims in the actions on this order except the severed damages claims be remanded to their respective transferor courts: CA-N 3:11-6380; 4:11-6708. (See Paper # 8833 in 01-md-875). (tjd) (Entered: 04/03/2013)
04/03/2013	view	Certified Copy Conditonal Remand Order along with a copy of the docket e-mailed to the Northern District of California. (tjd) (Entered: 04/03/2013)