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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL R. MARCUS and VICTORIA L. MARCUS,

Plaintiffs,

vs.

AIR & LIQUID SYSTEMS CORPORATION,
et al.,

Defendants.

Case No.: 4:22-cv-09058-HSG

[Alameda County Superior Court Case No.: 22CV021840]

STIPULATION TO EXTEND JURISDICTION OVER CONDITIONALLY DISMISSED DEFENDANT PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY; ORDER

Courtroom: 02, 4th Floor

District Judge: Hon. Haywood S. Gilliam Jr.

Filed in State Court: November 15, 2022

Removed to NDCA: December 21, 2022

Trial Date: September 9, 2024.

1 **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that Plaintiffs Michael R. Marcus and Victoria L. Marcus
3 (“Plaintiffs”) and PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR
4 INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS &
5 SUPPLY COMPANY (“Defendant” collectively) hereby stipulate as follows:

6 1. On November 15, 2022, Plaintiffs filed their Complaint for Personal Injury and
7 Loss of Consortium – Asbestos in the Superior Court of the State of California, Couty of
8 Alameda Case No. 22CV021840.

9 2. On December 21, 2022, the above action was removed to the United States
10 District Court, Northern District of California, Case No. 4:22-09058.

11 3. On August 21, 2024, Plaintiffs and Defendant reached an agreement of all claims
12 in this action.

13 4. On August 28, 2024, the Court granted a conditional dismissal with prejudice as
14 to INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT
15 PRODUCTS & SUPPLY COMPANY, with the Court retaining jurisdiction for 60 days.


16 5. On September 13, 2024, the Court granted a conditional dismissal with prejudice
17 as to PLANT PRODUCTS & SUPPLY COMPANY, with the Court retaining jurisdiction for 60
18 days.

19 6. While all terms of settlement are agreed upon, the terms of settlement are not yet
20 perfected. Plaintiffs and Defendant agree that this matter should not be litigated due to the
21 agreed-upon resolution.

22 7. Therefore, Plaintiffs and Defendant stipulate and request that this Court retain
23 jurisdiction over the matter as it pertains to Defendant PLANT PRODUCTS & SUPPLY
24 COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED
25 INSURED PLANT PRODUCTS & SUPPLY COMPANY, for an additional forty-five (45)
26 days.

1 DATED: October 23, 2024

Maune Raichle Hartley French & Mudd LLC

2
3 By: 
4 Rabiah N. Oral
Attorney for Plaintiffs

5 DATED: October 23, 2024


BERKES CRANE SANTANA & SPANGLER LLP

6 By: 
7 Viiu Spangler
8 K. Lynn Finateri Silbiger
9 Rebecca A. Bellow
10 Attorney for Plant Products & Supply
Company and Intervenor Insurers on Behalf
of Their Suspended Insured Plant Products
& Supply Company

11
12 **LOCAL RULE 5-1(i)(3) SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS**

13 In accordance with L.R5-1(i)(3), I, Rabiah N. Oral, attest that all signatories identified
14 above, and on whose behalf the filing is submitted, concur in the filing's content and have
15 authorized the filing.

16 DATED: October 23, 2024

17 By: 
18 Rabiah N. Oral, Esq.
19 Attorney for Plaintiffs

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ORDER

Having read and considered the foregoing stipulation of parties, and good cause appearing:

PURSUANT TO STIPULATION, IT IS SO ORDERED that the terms of settlement between PLAINTIFFS and Defendant PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY are to be perfected within forty-five (45) days of this order. The Court retains jurisdiction over the matter as it pertains to Defendant PLANT PRODUCTS & SUPPLY COMPANY and INTERVENOR INSURERS ON BEHALF OF THEIR SUSPENDED INSURED PLANT PRODUCTS & SUPPLY COMPANY, for forty-five (45) days from the date of this order.

IT IS SO ORDERED.

DATED: 10/24/2024


Hon. Haywood S. Gilliam, Jr.
UNITED STATES DISTRICT COURT JUDGE