

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

<u>IN RE: ASBESTOS LITIGATION</u>)	
)	
RICHARD WAYNE ROGERS,)	
)	
Plaintiff,)	
)	
v.)	
)	
AIR & LIQUID SYSTEMS)	C.A. No. 17-1570 (MN) (SRF)
CORPORATION, et al.)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

WHEREAS, on May 15, 2019, Magistrate Judge Fallon issued a Report and Recommendation (“the Report”) (D.I. 143) in this action, recommending, *inter alia*, that the Court grant the motion for summary judgment of Defendants Warren Pumps (D.I. 106), General Electric Company (D.I. 91), and Air & Liquid Systems Corporation, as Successor by Merger to Buffalo Pumps, Inc. (D.I. 103); and

WHEREAS, no party filed objections to the Report concerning the aforementioned summary judgment motions¹ pursuant to 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period, and the Court finding no clear error on the face of the record.

THEREFORE, IT IS HEREBY ORDERED this 4th day of June 2019 that the Report and Recommendation is ADOPTED as to the Recommendation that the Court grant the

¹ The Report also recommended that the Court grant the summary judgment motions of defendants Charles A. Wagner Company, Inc. (D.I. 101) and Asbestos Corporation Limited (D.I. 93). Plaintiff, however, timely filed objections to the portions of the Report regarding these defendants and, therefore, the Court will address those portions of the Report once the objections are fully briefed and in due course.


summary judgment motions of Warren Pumps, General Electric Company and Air & Liquid Systems Corporation, as Successor by Merger to Buffalo Pumps, Inc.

Defendant Warren Pumps' Motion for Summary Judgment (D.I. 106) is GRANTED.

Defendant General Electric Company's Motion for Summary Judgment (D.I. 91) is GRANTED.

Defendant Air & Liquid Systems Corporation, as Successor by Merger to Buffalo Pumps, Inc.'s Motion for Summary Judgment (D.I. 103) is GRANTED.

The Clerk of Court is HEREBY DIRECTED to enter JUDGMENT in favor of Defendants Warren Pumps, General Electric Company, and Air & Liquid Systems Corporation, as Successor by Merger to Buffalo Pumps, Inc. and against Plaintiff Richard Wayne Rogers.


The Honorable Maryellen Noreika
United States District Court Judge