

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

BARBARA OWENS, Individually
and as Personal Representative
of the Estate of Russell Owens,

Plaintiff,

Case No: 8:10-cv-2430-T-33TGW

vs.

AMERICAN HONDA MOTOR COMPANY,
ET AL.,

Defendants.

_____ /

ORDER

This cause comes before the Court pursuant to Defendant Elliott Turbomachinery Company, Inc.'s Motion for Stay of Proceedings (Doc. # 62), filed on November 5, 2010. Since the Judicial Panel for Multidistrict Litigation formed an MDL Court (MDL 875) for asbestos cases, the Judicial Panel has transferred such cases to the United States District Court for the Eastern District of Pennsylvania for consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407.

Elliott Turbomachinery Company anticipates that the case will be listed in a Conditional Transfer Order issued by the Judicial Panel in the immediate future and believes that transfer is imminent. For the purposes of judicial economy and to avoid the unfair prejudice that would result


from being forced to duplicate discovery and legal briefing in jurisdictions around the country, a stay of this action pending its transfer is warranted.

Accordingly, it is now

ORDERED, ADJUDGED and DECREED:

- (1) Defendant Elliott Turbomachinery Company, Inc.'s Motion for Stay of Proceedings (Doc. # 62) is **GRANTED**.
- (2) The Clerk is directed to **STAY AND ADMINISTRATIVELY CLOSE** this case until such time as the Judicial Panel on Multidistrict Litigation has dispositively ruled as to whether this case will be transferred to the consolidated multidistrict litigation in the United States District Court for the Eastern District of Pennsylvania.
- (3) The parties shall immediately inform the Court when the Panel has made its final ruling.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 8th Day of November 2010.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies: All Counsel of Record