

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

IN RE: HAWAII STATE ASBESTOS) CIVIL NO. 11-00402 LEK-KSC
CASES)
)
This Document Applies To:)
)
ROGER E. NELSON and ROSALIE)
J. NELSON,)
)
Plaintiffs,)
)
vs.)
)
CRANE COMPANY, etc., et al.,)
)
Defendants.)
)

**ORDER GRANTING DEFENDANT CRANE CO.'S MOTION TO STAY
PROCEEDINGS IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII PENDING TRANSFER TO MDL-875**

Before the Court are: Plaintiffs Roger E. Nelson and Rosalie J. Nelson's ("Plaintiffs") Motion to Remand, filed June 30, 2011 (dkt. no. 9); and Defendant Crane Co.'s ("Crane") Motion to Stay Proceedings in the United States District Court for the District of Hawaii Pending Transfer to MDL-875 ("Motion to Stay"), filed July 11, 2011 (dkt. no. 29). Crane filed its memorandum in opposition to the Motion to Remand on August 8, 2011, (dkt. no. 51), and Defendant Air & Liquid Systems Corporation, successor-by-merger to Buffalo Pumps, Inc. ("Buffalo") filed a joinder in Crane's memorandum in opposition on August 24, 2011 (dkt. no. 57). Plaintiffs filed their reply on August 15, 2011 (dkt. no. 54). Plaintiffs filed their

memorandum in opposition to the Motion to Stay on August 8, 2011 (dkt. no. 50), and Crane filed its reply on August 15, 2011 (dkt. no. 54).¹

These matters came on for hearing on August 29, 2011. Appearings on behalf of Plaintiffs were Gary Galiher, Esq., L. Richard DeRobertis, Esq., Diane Ono, Esq., Ilana Waxman, Esq., Todd Eddins, Esq., Michael Ragsdale, Esq., Scott Saiki, Esq., and Clarisse Kobashigawa, Esq. Appearings on behalf of Crane were Lee Nakamura, Esq., and Joseph Kotowski, III, Esq. Appearings on behalf of Buffalo were Steven Hisaka, Esq., and James Scadden, Esq. Appearings on behalf of Ingersoll were John Lacy, Esq., and Corlis Chang, Esq. Appearings on behalf of Goulds was Christopher Goodwin, Esq.² After careful consideration of the

¹ On August 8, 2011 and August 16, 2011, Defendant Ingersoll Rand Co. ("Ingersoll") and Defendant Goulds Pumps, Inc. ("Goulds"), respectively, each filed a statement of no opposition to the Motion to Stay. [Dkt. nos. 52, 56.]

² Counsel for the following parties, which did not respond to either motion, also appeared at the hearing: Ewing Martin, III, Esq., and Bradford Chun, Esq., for Defendants Aurora Pump Company, IMO Industries, Inc., individually and as successor-in-interest to Delaval Turbine, Inc., and formerly known as IMO Delaval, Inc., Transamerica Delaval, Inc., and Delaval Steam Turbine Company, and Warren Pumps, LLC; Gail Kang, Esq., for Defendants Bayer Cropscience, Inc., successor in interest to Rhone-Poulenc AG Company, formerly known as Amchem Products Inc., formerly known as Benjamin Foster Products Company, and Union Carbide Corporation; Craig Kugisaki, Esq., for Defendant Metropolitan Life Insurance Company; Michael O'Connor, Esq., for Defendant the William Powell Company; Erica Mullen Chee, Esq., for Defendant Georgia-Pacific Corporation; Cathy Gee Kong, Esq., for Defendant Kaiser Gypsum Company, Inc.; Aimee Oyasato, Esq., (continued...)

motions, supporting and opposing memoranda, and the arguments of counsel, Crane's Motion to Stay is HEREBY GRANTED for the reasons set forth in this Court's Order Granting Defendant's Motion to Stay All Proceedings Pending a Decision on Transfer by the Judicial Panel on Multidistrict Litigation, filed in CV 11-00400 LEK-KSC on September 26, 2011 (dkt. no. 95). The instant case, including Plaintiffs' Motion for Remand, is HEREBY STAYED until **November 8, 2011.**

IT IS SO ORDERED.

DATED AT HONOLULU, HAWAII, September 26, 2011.



/S/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge

**IN RE: HAWAII STATE ASBESTOS CASES; ROGER E. NELSON, ET AL. V.
CRANE COMPANY, ETC., ET AL; CIVIL NO. 11-00402 LEK-KSC; ORDER
GRANTING DEFENDANT CRANE CO.'S MOTION TO STAY PROCEEDINGS IN THE
UNITED DISTRICT COURT FOR THE DISTRICT OF HAWAII PENDING TRANSFER
TO MDL-875**

²(...continued)

for Defendants John Crane, Incorporated, Cleaver-Brooks, Inc., and the Lynch Co., Inc.; and John Montalbano, Esq., for Defendant Kelly-Moore Paint Company, Inc.