

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAMES HALL and MARYILYN HALL,)
)
 Plaintiffs,)
)
 vs.)
)
 AIR & LIQUID SYSTEMS)
 CORPORATIONS, et al.,)
)
 Defendants.)

Case No. 4:14-CV-1737-JAR

MEMORANDUM AND ORDER

This asbestos case is before the Court on review of the file. The record contains neither proof of service nor entry of appearance of behalf of the following Defendants: **CBS Corporation, Crown Cork and Seal Company, Inc., Goulds Pumps, Inc., and J.P. Bushnell Packing Supply Co.** Plaintiffs shall show cause within ten (10) days of the date of this order why these Defendants should not be dismissed without prejudice for lack of timely service. Plaintiffs are further directed to file a status report within ten (10) days of the date of this order setting out the progress of this case to date and the nature and extent of any discovery conducted in state court.

The Court has also reviewed the numerous motions to dismiss filed in the state court (Docs. 12-17). These motions largely move to dismiss Plaintiffs' complaint for failure to state a claim and, in the alternative, seek a more definite statement. The Court will deny these motions without prejudice as they rely primarily on Missouri state law and fail to follow this Court's local rules. Specifically, the Motions to Dismiss are not supported with memorandums. E.D. Mo. L.R. 4.01(A) ("Unless otherwise directed by the Court, the moving party shall file with each

motion a memorandum in support of the motion, including any relevant argument and citations to any authorities on which the party relies”).

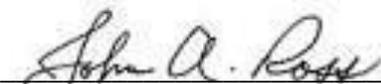
Accordingly,

IT IS HEREBY ORDERED that Plaintiffs shall show cause within ten (10) days of the date of this order why Defendants **CBS Corporation, Crown Cork and Seal Company, Inc., Goulds Pumps, Inc., and J.P. Bushnell Packing Supply Co.** should not be dismissed without prejudice for lack of timely service.

IT IS FURTHER ORDERED that Plaintiffs shall file a status report within ten (10) days of the date of this order setting out the progress of this case to date and the nature and extent of any discovery conducted in state court.

IT IS FURTHER ORDERED that the pending Motions to Dismiss (Docs. 12-17) are **DENIED without prejudice.**

Dated this 26th day of May, 2015.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE