

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

THOMAS SPIEWAK and ELLEN SPIEWAK,

Plaintiffs,

v.

**1:17-CV-40
(FJS/DJS)**

**A.O. SMITH WATER PRODUCTS;
ARMSTRONG INTERNATIONAL, INC.;
AVOCET ENTERPRISES, INC., formerly
known as Ventfabrics Inc.; BINGHAMTON
HARDWARE & HVAC SUPPLY CORP.;
BIRD INCORPORATED, formerly known as
Bird & Son, Inc.; BOEING COMPANY,
individually and as successor to McDonnell
Douglas; BORGWARNER MORSE TEC LLC;
BURNHAM CORPORATION; CBS
CORPORATION, a Delaware Corporation
formerly known as Viacom Inc., successor by
merger to CBS Corp., a Pennsylvania Corp.
formerly known as Westinghouse Electric
Corporation; CERTAIN-TEED
CORPORATION; COLONIAL PLUMBING
AND HEATING SUPPLY, INC.; CURTISS
WRIGHT FLOW CONTROL CORPORATION,
individually and as successor to Farris Valves
and/or Sprague Pumps; DAP, INC., formerly
known as La Mirada Products Co., Inc.;
DURO DYNE CORPORATION; EATON
CORPORATION, individually and now
known as Eaton Electrical, Inc. and as
successor to the Vickers Pump Company
and Cutler Hammer, Inc.; FORD
MOTOR COMPANY; FOSTER WHEELER,
LLC; GENERAL ELECTRIC COMPANY;
GEORGIA-PACIFIC CORPORATION,
individually and as successor to Bestwall
Gypsum Company; GOODRICH
CORPORATION, individually and as successor
in interest to the Cleveland Pneumatic Company,
a Division of the Pneumo Abex Corporation,
a wholly owned subsidiary of Abex, Inc.**

**formerly known as B.F. Goodrich Company;
GOODYEAR CANADA, INC.; GOODYEAR
TIRE & RUBBER COMPANY (THE);
HENDERSON-JOHNSON CO. INC.;
HONEYWELL INTERNATIONAL, INC.,
as successor-in-interest to The Bendix
Corp. formerly known as Allied Signal, Inc.;
IMO INDUSTRIES, INC., individually
and as successor to Turbine Equipment
Company formerly known as Delaval, Inc.;
LOCKHEED MARTIN CORPORATION,
individually and as successor by merger to
Lockheed Corporation; MCDONNELL
DOUGLASS CORPORATION;
METROPOLITAN LIFE INSURANCE
COMPANY; NEW YORKER BOILER
COMPANY, INC.; OWENS ILLINOIS,
INC.; PARKER-HANNIFIN CORPORATION,
individually and as successor by merger to
Stratoflex, Inc. (Cleveland Brake Division);
PEERLESS INDUSTRIES, INC.; RHEEM
MANUFACTURING CORP.; SECURITY
SUPPLY CORPORATION; SYRACUSE
SUPPLY COMPANY; T.J. BELL & CO.,
INC.; UNION CARBIDE CORPORATION;
UNITED TECHNOLOGIES CORPORATION,
individually and as successor to Pratt &
Whitney (Pratt & Whitney/Aircraft Division);
YORK INTERNATIONAL CORPORATION,
individually and as successor to Frick
Company; EATON AEROQUIP, formerly
known as Aeroquip Corporation,**

Defendants.

ORDER

On January 13, 2017, Defendant Lockheed Martin Corporation filed a Notice of Removal pursuant to 28 U.S.C. § 1442(a). *See* Dkt. No. 1. Under § 1442, joinder of the other Defendants in this action was not necessary. However, as 28 U.S.C. § 1446(d) requires, Defendant Lockheed

Martin Corporation did provide notice to the other Defendants regarding the filing of its Notice of Removal. *See* Dkt. No. 6.

On January 20, 2017, Plaintiffs and Defendant Lockheed Martin Corporation filed a stipulation in which they agreed to the remand of this action to the New York Supreme Court, County of Schenectady. *See* Dkt. No. 20.

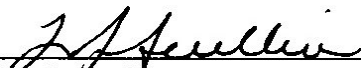
Based on this stipulation, the Court hereby

ORDERS that this action is remanded to the New York Supreme Court, County of Schenectady; and the Court further

ORDERS that the Clerk of the Court shall mail a certified copy of this Order to the Clerk of the New York Supreme Court, County of Schenectady as 28 U.S.C. § 1447(c) requires.

IT IS SO ORDERED.

Dated: January 23, 2017
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Judge