

9-66570-file

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (NO. VI)

MDL 875

This Document Relates To:

- | | |
|----------------------|-------------------|
| 1. Richard Denzel | EDPA No. 09-66545 |
| 2. Boyd Gilchrist | EDPA No. 09-66547 |
| 3. Robert Glaser | EDPA No. 09-66548 |
| 4. Leslie Hanson | EDPA No. 09-66549 |
| 5. Martin Ketterling | EDPA No. 09-66554 |
| 6. Teanus Loeb | EDPA No. 09-66561 |
| 7. Stephen Morrell | EDPA No. 09-66564 |
| 8. Walter Poppke | EDPA No. 09-66567 |
| 9. Pete Riedinger | EDPA No. 09-66570 |
| 10. Frank Unser | EDPA No. 09-66574 |
| 11. Joe Vogel | EDPA No. 09-66577 |
| 12. Frank Willson | EDPA No. 09-66578 |

FILED
AUG 26 2010
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 25th day of August, 2010, upon careful and independent consideration of defendant S.O.S. Products Company, Inc.'s motions for summary judgment in the above-captioned cases, plaintiffs' responses, and defendant's replies thereto, and after review of the Report and Recommendation by Chief Magistrate Judge Thomas J. Rueter, it is hereby

ORDERED

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The summary judgment motions of defendant S.O.S. Products Company, Inc. be **DENIED** with respect to plaintiffs Glaser, Denzel, Willson, Poppke, Loeb, Ketterling and Gilchrist.
3. The summary judgment motions of defendant S.O.S. Products Company, Inc. be **GRANTED** with respect to plaintiffs Vogel, Unser, Hanson, Riedinger and Morrell.

4. Plaintiffs' claims for conspiracy, deceit, fraud, market share, enterprise liability, and alternative liability in each of the above-captioned cases be **DISMISSED WITH PREJUDICE**.

BY THE COURT:



EDUARDO C. ROBRENO, J.

Certificate of Service

MAILED:

A. LUCAS
ALDEN GJEVRE
ALLAN SHAW
CHARLES BECKER

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