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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 VERL JACK MANGRUM and TAMARA )  
10 MANGRUM, husband and wife, ) NO. 3:12-cv-05013-RBL  
11 )  
12 Plaintiffs, ) STIPULATED MOTION AND  
13 ) ORDER FOR REMAND  
14 v. )  
15 )  
16 A.W. CHESTERTON COMPANY, et al., )  
17 )  
18 Defendants. )  
19 \_\_\_\_\_ )

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21  
22 **I. RELIEF SOUGHT**

23 The parties to this action, by and through their respective counsel, stipulate and agree to  
24 the remand of the above-entitled action from the United States District Court – Western  
25 District of Washington at Tacoma to the Superior Court of the State of Washington in and for  
26 the County of Pierce.

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28 **II. STIPULATED MOTION**

29 Plaintiffs filed this case in Pierce County Superior Court on December 2, 2011.  
30 Defendant Foster Wheeler Energy Corporation ("Foster Wheeler") removed the case to this  
31 court on January 6, 2012 based on federal officer jurisdiction under 28 U.S.C. § 1442(a)(1).

1 Subsequent to removal, Foster Wheeler conferred with counsel for the plaintiffs  
2 regarding the removal. Foster Wheeler now wishes to place the case back into state court.  
3  
4 Foster Wheeler therefore moves this court for remand of this matter to Pierce County Superior  
5 Court.

6 After agreeing with counsel for plaintiffs to move for remand, Foster Wheeler  
7 conferred with counsel for all defendants and has confirmed there is no opposition to this  
8 motion to remand, and that all parties stipulate to remand.  
9

10 All parties stipulate that this motion is not based on the merits of Foster Wheeler's  
11 removal of the case to this court, and that the removal is sought without prejudice to any future  
12 removal action. The parties do not intend for this motion or the requested remand to be  
13 binding upon any other party's right to remove the case or assert federal jurisdiction or federal  
14 defenses.  
15

16  
17 Dated this 18<sup>th</sup> day of January, 2012.  
18  
19

20 /s/ Dirk Bernhardt

21 Dirk Bernhardt, WSBA #33071

22 Murray Dunham & Murray

23 200 West Thomas, Suite 350

Seattle, Washington 98109

Telephone: (206) 622-2655

24 Facsimile: (206) 684-6924

25 [dirk@murraydunham.com](mailto:dirk@murraydunham.com)

*Counsel to Foster Wheeler Energy*

26 *Corporation*

s/

Benjamin Couture, WSBA #39304

Brian D. Weinstein, WSBA #24497


WEINSTEIN COUTURE PLLC


1001 Fourth Avenue, Suite 4400


Seattle, WA 98154


[service@weinsteincouture.com](mailto:service@weinsteincouture.com)


*Counsel for Plaintiffs*


1  
2   
3 \_\_\_\_\_ for  
4 Anne D. Foster, WSBA #30072  
5 Dunn Carney Allen Higgins & Tongue,  
6 LLP  
7 851 SW 6<sup>th</sup> Ave., Suite 1500  
8 Portland, OR 97204-1357  
9 [afoster@dunncarney.com](mailto:afoster@dunncarney.com)  
10 [asbestos@dunncarney.com](mailto:asbestos@dunncarney.com)  
11 *Counsel to A.W. Chesterton Company*


12  
13   
14 \_\_\_\_\_ for  
15 Kevin C. Baumgardner, WSBA #14263  
16 Steven Fogg, WSBA #23528  
17 Patrick Jordan, WSBA # 40292  
18 Corr Cronin Michelson Baumgardner &  
19 Preece  
20 1001 Fourth Avenue, Suite 3900  
21 Seattle WA 98154  
22 [asbestos@corrchronin.com](mailto:asbestos@corrchronin.com)  
23 *Counsel to American Optical Corp.;*  
24 *Industrial Holding Corporation; Sequoia*  
25 *Ventures*


26   
\_\_\_\_\_ for  
Christine E. Dinsdale, WSBA #12622  
Soha & Lang  
1325 Fourth Avenue, Suite 2000  
Seattle, WA 98101-2570  
[asbestos@sohalang.com](mailto:asbestos@sohalang.com)  
[dinsdale@sohalang.com](mailto:dinsdale@sohalang.com)  
*Counsel to BW/IP International, Inc.;*  
*Carver Pump Company; Flowserve*  
*Corporation f/k/a The Duriron*  
*Company; Flowserve Corporation as*  
*successor-in-interest to Durametalllic*  
*Corporation; Goulds Pumps, Inc.*


  
\_\_\_\_\_ for  
Barry N. Mesher, WSBA #07845  
Brian Zeringer, WSBA #15566  
Lane Powell PC  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-2338  
[asbestos@lanepowell.com](mailto:asbestos@lanepowell.com)  
*Counsel to Air & Liquid Systems Corp.;*  
*Crane Co.; Crown Cork & Seal Co. USA,*  
*Inc.; Georgia-Pacific Corp.; Schnieder*  
*Electric USA, Inc. a/k/a Square D Company*


  
\_\_\_\_\_ for  
Jeanne F. Loftis, WSBA #35355  
Bullivant Houser Bailey PC  
888 SW Fifth Avenue, Suite 300  
Portland, OR 97204-2089  
[asbestos-pdx@bullivant.com](mailto:asbestos-pdx@bullivant.com)  
*Counsel to Aurora Pump Company*


  
\_\_\_\_\_ for  
Richard D. Ross, WSBA #34502  
Betts, Patterson & Mines  
701 Pike Street, Suite 1400  
Seattle, WA 98101-3927  
[betts-asbestos@bpmlaw.com](mailto:betts-asbestos@bpmlaw.com)  
*Counsel to Borgwarner Morse Tec Inc.*


1  
2   
3 \_\_\_\_\_ for  
4 Richard S. Lowell, WSBA #16364  
5 Magnuson Lowell PS  
6 16398 NE 85<sup>th</sup> Street, Suite 200  
7 Redmond WA 98073  
8 [rick@magnusonlowell.com](mailto:rick@magnusonlowell.com)  
9 *Counsel to Bridgestone/Firestone*


10  
11   
12 \_\_\_\_\_ for  
13 Michael Jaeger, WSBA #23166  
14 Wilson, Smith, Cochran & Dickerson  
15 1215 Fourth Avenue, Suite 1700  
16 Seattle, WA 98161-1007  
17 [carrier-asbestos@wscd.com](mailto:carrier-asbestos@wscd.com)  
18 [jaeger@wscd.com](mailto:jaeger@wscd.com)  
19 *Counsel to Carrier Corporation*

20  
21   
22 \_\_\_\_\_ for  
23 Timothy K. Thorson, WSBA #12860  
24 Carney Badley Spellman, P.S.  
25 701 Fifth Avenue, Suite 3600  
26 Seattle, WA 98104-7010  
[thorson@carneylaw.com](mailto:thorson@carneylaw.com);  
[berman@carneylaw.com](mailto:berman@carneylaw.com)  
*Counsel to Cleaver-Brooks, Inc.;*  
*Saberhagen Holdings, Inc.*

  
\_\_\_\_\_ for  
Christopher Marks, WSBA #28634  
Eliot M. Harris, WSBA #36590  
Rachel Tallon Reynolds, WSBA #38750  
Sedgwick LLP  
520 Pike Tower, Suite 2200  
Seattle, WA 98101  
[chris.marks@sedgwicklaw.com](mailto:chris.marks@sedgwicklaw.com)  
[eliot.harris@sedgwicklaw.com](mailto:eliot.harris@sedgwicklaw.com)  
*Counsel to CBS Corp.; General Electric*  
*Company; Gordan-Rupp Co.*

  
\_\_\_\_\_ for  
Diane Kero, WSBA #11874  
Gordon Thomas Honeywell et al  
One Union Square  
600 University, Suite 2101  
Seattle, WA 98101-4185  
[Dkero@gth-law.com](mailto:Dkero@gth-law.com)  
[service@gth-law.com](mailto:service@gth-law.com)  
*Counsel to Certainteed Corporation; Dana*  
*Corporation; Union Carbide Corporation*

  
\_\_\_\_\_ for  
Melissa K. Roeder, WSBA #30836  
Forsberg & Umlauf  
901 Fifth Avenue, Suite 1400  
Seattle, WA 98164  
[asbestos3@forsberg-umlau.com](mailto:asbestos3@forsberg-umlau.com)  
*Counsel to Cutler-Hammer, Inc.; Eaton*  
*Corporation; William Powell Company*

1   
2 \_\_\_\_\_ for


3 Randy Aliment, WSBA #11440  
4 Williams, Kastner & Gibbs  
5 601 Union St., Suite 4100  
6 P.O. Box 21926  
7 Seattle, WA 98111-3926  
8 [raliment@williamskastner.com](mailto:raliment@williamskastner.com)  
9 *Counsel to Flowserve US, Inc.*

10   
11 \_\_\_\_\_ for

12 Ronald Gardner, WSBA #9270  
13 Gardner Trabolsi & Associates  
14 2200 Sixth Avenue, Suite 600  
15 Seattle, Washington 98121  
16 [rgardner@gardnerbond.com](mailto:rgardner@gardnerbond.com)  
17 [asbestos@gardnerbond.com](mailto:asbestos@gardnerbond.com)  
18 *Counsel to The Goodyear Tire & Rubber*  
19 *Co.; Viad Corporation; Yarway Corp.*

20   
21 \_\_\_\_\_ for

22 James H. Gidley, WSBA #17000  
23 Perkins Coie LLP  
24 1201 Third Avenue, Suite 4800  
25 Seattle, WA 98101-3099  
26 [JGidley@perkinscoie.com](mailto:JGidley@perkinscoie.com)  
[HW\\_Asbestos\\_SEA@perkinscoie.com](mailto:HW_Asbestos_SEA@perkinscoie.com)  
*Counsel to Honeywell International, Inc.*

27   
28 \_\_\_\_\_ for

29 Mark Tuvim, WSBA #31909  
30 Kevin Craig, WSBA #29932  
31 Gordon & Rees, LLP  
32 701 Fifth Avenue, Suite 2130  
33 Seattle, WA 98104  
34 [mtuvim@gordonrees.com](mailto:mtuvim@gordonrees.com)  
35 [kcraig@gordonrees.com](mailto:kcraig@gordonrees.com)  
36 [tbarrington@gordonrees.com](mailto:tbarrington@gordonrees.com)  
*Counsel to Ingersoll-Rand Co.; ITT*  
*Corp.; Trane U.S., Inc.; Velan Valve*

  
\_\_\_\_\_ for

Mark J. Fucile, WSBA #23736  
Fucile & Riesing LLP  
Portland Union Station  
800 NW Sixth Avenue, Suite 211  
Portland, OR 97209-3783  
[mark@frllp.com](mailto:mark@frllp.com)  
*Counsel to Ford Motor Company*

  
\_\_\_\_\_ for

Howard (Terry) Hall, WSBA #10905  
Wolfstone, Panchot & Bloch  
1111 Third Avenue, Suite 1800  
Seattle, Washington 98101  
[asbestos@wpblaw.com](mailto:asbestos@wpblaw.com)  
*Counsel to Lone Star Industries, Inc.*

  
\_\_\_\_\_ for

James Horne, WSBA #12166  
Gordon Thomas Honeywell Malanca  
Peterson & Daheim  
600 University, Suite 100  
Seattle, WA 98101  
[IMOservation@gth-law.com](mailto:IMOservation@gth-law.com)  
*Counsel to IMO Industries Inc.*

  
\_\_\_\_\_ for

Jeff Wolf, WSBA #20107  
Williams, Kastner & Gibbs  
601 Union St., Suite 4100  
P.O. Box 21926  
Seattle, WA 98111-3926  
[jwolf@williamskastner.com](mailto:jwolf@williamskastner.com)  
*Counsel to Kaiser Gypsum Company, Inc.*

1  
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24  
25  
26

s/  
Katherine M. Steele, WSBA #11927  
Stafford Frey Cooper  
Two Union Square  
601 Union St., Suite 3100  
Seattle, WA 98101  
[asbestos@staffordfrey.com](mailto:asbestos@staffordfrey.com)  
*Counsel to Metalclad Insulation  
Corporation; Sterling Fluid Systems  
(USA), LLC*

s/  
Kathleen Stimeling, WSBA #42341  
Schiff Hardin LLP  
1 Market Plaza, Floor 32  
San Francisco, CA 94105  
[calendar@schiffhardin.com](mailto:calendar@schiffhardin.com)  
[kstimeling@schiffharding.com](mailto:kstimeling@schiffharding.com)  
*Counsel to Owens-Illinois, Inc.*

s/  
James M. Shaker, WSBA #13355  
Ryan, Swanson & Cleveland  
1201 Third Avenue, Suite 3400  
Seattle, WA 98101-3034  
[RSCPneumo@ryanlaw.com](mailto:RSCPneumo@ryanlaw.com)  
*Counsel to Pneumo Abex Corporation*


s/  
Randal Johnson, WSBA #24556  
Badgley – Mullins, Law Group PLLC  
701 Fifth Avenue, Suite 4750  
Seattle, Washington 98104  
[asbestos@badgleymullins.com](mailto:asbestos@badgleymullins.com)  
*Counsel to Rockwell Automation, Inc.*

s/  
Richard Gawlowski, WSBA #19713  
Wilson, Smith, Cochran & Dickerson  
1215 Fourth Avenue, Suite 1700  
Seattle, WA 98161  
[MetLifeAsbestos@wscd.com](mailto:MetLifeAsbestos@wscd.com)  
*Counsel to Metropolitan Life Insurance  
Company*

s/  
Dana C. Hoerschelmann, WSBA #31648  
Thorsrud, Cane & Paulich  
1325 Fourth Avenue, Suite 1350  
Seattle, WA 98101  
[dhoerschelmann@tcplaw.com](mailto:dhoerschelmann@tcplaw.com)  
*Counsel to Weir Valves & Controls USA,  
Inc. d/b/a Atwood & Morrill*

s/  
Rod Umberger, WSBA #24948  
Williams, Kastner & Gibbs  
601 Union St., Suite 4100  
P.O. Box 21926  
Seattle, WA 98111-3926  
[rumberger@williamskastner.com](mailto:rumberger@williamskastner.com)  
*Counsel to Riley Power, Inc.*

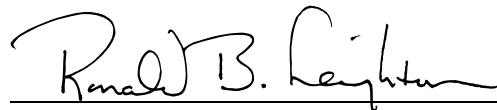
s/  
Jan Brucker, WSBA #12160  
Jackson Jenkins Renstrom LLP  
701 Fifth Ave., Suite 4200  
Seattle, WA 98104  
[jbrucker@jir-law.com](mailto:jbrucker@jir-law.com)  
*Counsel to Viking Pump, Inc.*

1   
2 \_\_\_\_\_ for  
3 J. Michael Mattingly, WSBA #33452  
4 Jason Daywitt, WSBA #31959  
5 Rizzo Mattingly Bosworth PC  
6 411 SW 2nd Avenue, Suite 200  
7 Portland, OR 97204  
8 [recordsmanagement@rizzopc.com](mailto:recordsmanagement@rizzopc.com)  
9 *Counsel to Warren Pumps, Inc.;*  
10 *Gardner Denver*

11 **III. ORDER**

12 The Court, having considered the stipulation by the parties and being fully advised in  
13 the premises, NOW THEREFORE, HERBY ORDERS that the above-entitled action be  
14 remanded back to the Superior Court of the State of Washington in and for the County of  
15 Pierce.

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17  
18 DONE IN OPEN COURT this 23<sup>rd</sup> day of January, 2012.

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22  
23 RONALD B. LEIGHTON  
24 UNITED STATES DISTRICT JUDGE

25 Presented by:

26 /s/ Dirk Bernhardt  
Dirk Bernhardt, WSBA #33071  
Murray Dunham & Murray  
200 West Thomas, Suite 350  
Seattle, Washington 98109

1 Telephone: (206) 622-2655  
2 Facsimile: (206) 684-6924  
3 dirk@murraydunham.com  
4 *Of attorneys for Defendant Foster*  
5 *Wheeler Energy Corporation*

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