

Judge Ana Viscomi, J.S.C.

Master Motion List

Motions Returnable (06/14/2019)

ASBESTOS MOTIONS

Docket	Case Name	Motion Type	Motion No.	Opp recd	Movant's Attny	Plaintiff's Attny	Disposition
	ABBOTT THRU WEISS (41 cases listed)	OMNIBUS MOTION FOR PROTECTIVE ORDER OF IMERYS USA	316-368	YES	Rawle Henderson	Levy Konigsberg; Lanier; Locks	adj 7/26
L-3453-16	ABBOTT V. CYPRUS AMAX MINERALS COMPANY	S/J	412	YES	Rawle Henderson	Levy Konigsberg	adj 6/21
L-3453-16	ABBOTT V. R.E. CARROLL	S/J	232	YES	McGivney	Levy Konigsberg	DENIED
L-3453-16	ABBOTT V. VANDERBILT	S/J	275	YES	O'Toole Scrivo	Levy Konigsberg	RESERVED
L-3561-16	ALVAREZ V. CBS	S/J	598		Tanenbaum Keale	Szaferman/Levy	GRANTED
	ARVELO-VOJACK-SMITH (20 CASES)	RECONSIDERATION OF 12/14/18 DENYING MOTIONS TO DISMISS FOR LACK OF PERS JX OF IMERYS USA W/O PREJ PENDING ADDL DISCOVERY	680-731	YES	Rawle Henderson	Levy Konigsberg	W/D
L-3393-18	BOBINEY V. BURNHAM	DISMISS FOR LACK OF PERS JX	164	YES	Clyde & Co	Weitz & Luxenborg	adj 6/21
L-3393-18	BOBINEY V. FORD	DISMISS FOR LACK OF PERS JX	284	YES	Leclairryan	Weitz & Luxenborg	adj 6/21
L-4806-17	DEFEO V. MINE SAFETY	S/J	29	YES	Kent McBride	Levy Konigsberg	adj 6/21
L-5732-17	DOCKERY V. COLGATE	S/J	223	YES	O'Toole Scrivo	Levy Konigsberg	adj 6/21
L-5368-12	FITCHBERG V. COSTELLO	S/J	249	YES	Scarinci	Jardim	adj 6/21
L-5368-12	FORESE V. FITCHBURG	S/J	79	YES	Methfessel	Jardim	adj 6/21
L-3095-18	FOLEY V. AVON	DISMISS FOR LACK OF PERS JX	153	YES	Rivkin Radler	Cohen Placitella	adj 6/21
L-3805-18	GAGLIARDI V. J&J	S/J	330	YES	McCarter	Levy/Locks	w/d-moot per removal to District Court
L-3805-18	GAGLIARDI V. JJCI	S/J	331	YES	McCarter	Levy/Locks	w/d-moot per removal to District Court
L-3534-14	HEARNS V. ACE WIRE & CABLE	S/J	204	YES	McGivney Kluger	Wilentz	adj 6/21
L-2818-17	HUFF V. PREMIER BRANDS OF AMERICA	DISMISS FOR LACK OF PERS JX	81	YES	Hoagland Longo	Szaferman/Simon	DENIED
L-2818-17	HUFF V. THORNTON	DISMISS FOR LACK OF PERS JX	192	YES	Rice Tyrrell	Szaferman/Simon	GRANTED
L-2720-16	HUGHES V. BASF	S/J	329	YES	Littleton Park	Locks Law	adj 6/21
L-2260-18	JATRAS V. KOLMAR	DISMISS FOR LACK OF PERS JX	161	YES	Clyde & Co	Levy/Maune	adj 6/21
L-6651-16	JOHNSON V. AMERICAN INTL IND.	S/J	240	YES	Hawkins Parnell	Szaferman/Simon	PARTIALLY GRANTED/DENIED
L-6651-16	JOHNSON V. AMERICAN INTL IND.	STAY DEFT ALL PENDING APPEAL	946	YES	Hawkins Parnell	Szaferman/Simon	WITHDRAWN as MOOT. Appellate Division denied.
L-6918-15	JUNG V. BEAZER EAST	PROTECTIVE ORDER QUASHING DEP & DOCS OF JACKSON FUNERAL HOME	73	YES	Levy Konigsberg	Levy Konigsberg	W/D
L-5516-16	KOPP V. AKEBONO BRAKE	PROTECTIVE ORDER PRECLUDING DEP OF DEFT CORP REP	1247	YES	O'Toole Scrivo	Szaferman/Levy	DENIED
L-5516-16	KOPP V. AKEBONO BRAKE	XM COMPEL PRODUCTION OF CORP REP & DISCOVERY RESPONSES	1399	YES	Levy Konigsberg	Szaferman/Levy	GRANTED

L-4652-17	LABARR-MABRY V. CYPRUS AMAX	S/J	220	YES	Rawle Henderson	Levy Konigsberg	PARTIALLY GRANTED/DENIED
L-4618-17	LAMPKIN V. FOSTER WHEELER	S/J	599	YES	Tanenbaum Keale	Weitz & Luxemborg	adj 6/21
L-7336-16	LASHLEY V. AMERICAN INTL. IND	S/J	237	YES	Hawkins Parnell	Szaferman/Simon	DENIED
L-7336-16	LASHLEY V. AMERICAN INTL. IND	STAY DEFT AII PENDING APPEAL	948	YES	Hawkins Parnell	Szaferman/Simon	WITHDRAWN as MOOT. Appellate Division denied.
L-4647-13	MARRAPODI V. HOFFMAN-LAROCHE	RECONSIDERATION AND S/J	223	YES	Gibbons	Lanier	GRANTED
L-1120-17	MARTINEZ V. AVON	RECONSIDERATION OF 6/15/18 ORDER	600	YES	Szaferman/Simon	Szaferman/Simon	adj 6/21
L-2589-18	MASK V. KOLMAR	DISMISS FOR LACK OF PERS JX	376	YES	Clyde & Co	Levy Konigsberg	adj 6/21
L-6731-18	MYERS V. CEMEX	DISMISS FOR LACK OF PERS JX	440		Gibbons	Levy Konigsberg	W/D
L-4257-15	OROSZ V. ALCATEL-LUCENT	VACATE JMT; PERMIT OPP TO S/J MOTION	327	YES	Early	Early Law	W/D
L-4626-18	PRIDDY V. ACCEL PERFORMANCE GROUP	DISMISS CPT	515	YES	Porzio Bromberg	Szaferman/Simon	adj 7/12
L-4626-18	PRIDDY V. GENUINE PARTS	DISMISS FOR LACK OF PERS JX	864	YES	Breuninger	Szaferman/Simon	W/D
L-4626-18	PRIDDY V. HOLLINGSWORTH & VOSE	DISMISS INLIEU OF AN ANSWER AND FNC	402	YES	Jardim Meisner	Szaferman/Simon	adj 7/12
L-4626-18	PRIDDY V. HOLLY PERFORMANCE	DISMISS CPT	516	YES	Porzio Bromberg	Szaferman/Simon	adj 7/12
L-4626-18	PRIDDY V. NAPA	DISMISS FOR LACK OF PERS JX	1217	YES	Breuninger	Szaferman/Simon	W/D
L-4626-18	PRIDDY V. PNEUMO ABEX	DISMISS FOR LACK OF PERS JX	880	YES	Hawkins Parnell	Szaferman/Simon	W/D
L-2857-16	RASCO V. COLGATE PALMOLIVE (MENNEN)	S/J	262	YES	O'Toole Scrivo	Szaferman/Simon	adj 6/21
L-2857-16	RASCO V. WCD	S/J	170	YES	McGivney	Szaferman/Simon	adj 6/21
L-2912-17	RIMONDI V. BASF	NEW TRIAL	247	YES	Lanier	Lanier	adj 6/21
L-827-18	SAUL V. J&J	S/J	316	YES	McCarter	Szaferman/Simon	w/d-moot per removal to District Court
L-827-18	SAUL V. JICI	S/J	317	YES	McCarter	Szaferman/Simon	w/d-moot per removal to District Court
L-993-16	SIMON V. CLARK	AMD CPT	978	YES	Locks Law	Locks Law	adj 7/26
L-1760-18	SWEDLOW V. KOLMAR	DISMISS FOR LACK OF PERS JX	203	YES	Clyde & Co	Levy Konigsberg	adj 6/21
L-3056-17	SZATKOWSKI V. E&B MILL	S/J	269	YES	O'Toole Scrivo	Wilentz	DENIED
L-3056-17	SZATKOWSKI V. ERNST FLOW	S/J	242	YES	Margolis Edelstein	Wilentz	DENIED
L-3056-17	SZATKOWSKI V. INDUSTRIAL WELDING	S/J	221	YES	Hoagland Longo	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. JOHN C. ERNST	S/J	208	YES	McGivney	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. MANHATTAN WELDING	DISMISS FOR FAILURE TO STATE CLAIM	1218	YES	McGivney	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. MARLEY COOLING TOWER (SPX)	DISMISS AMD CPT FOR FAILURE TO STATE A CLAIM	632	YES	McGivney	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. ERNST FLOW	JOINDER TO MARLEY MOTION TO DISMISS	726	YES	Margolis Edelstein	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. ELIZABETH INDUSTRIAL	XM-(JOIN) TO MARLEY MOTION - DISMISS FOR FAILURE TO STATE A CLAIM	130		McGivney	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. S.M. ELECTRIC	S/J	214	YES	McGivney	Wilentz	PARTIALLY GRANTED/DENIED

L-3056-17	SZATKOWSKI V. STERLING FLUID	S/J	173	YES	Kelley Jasons	Wilentz	adj 6/21
L-3056-17	SZATKOWSKI V. ZURN	DISMISS AMD CPT FOR FAILURE TO STATE A CLAIM	1219	YES	McGivney	Wilentz	adj 6/21
L-2555-18	TESMER C. HONEYWELL	DISMISS FOR FNC	172	YES	Gibbons	Locks Law	GRANTED
L-7132-17	WARD V. COLGATE	S/J	224	YES	O'Toole Scrivo	Szaferman/Simon	adj 6/21
L-3705-18	WHITE V. HOLLINGSWORTH & VOSE	DISMISS FOR LACK OF PERS. JX AND FNC	155	YES	Jardim Meisner	Szaferman/Simon	GRANTED
L-5800-17	YUHAS V. CBS	S/J	279		Tanenbaum Keale	Weitz & Luxenberg	GRANTED
L-5800-17	YUHAS V. COOPER	S/J	87	YES	Marshall Denneny	Weitz & Luxenberg	adj 6/21
L-5800-17	YUHAS V. EATON	S/J	45	YES	McElroy Deutsch	Weitz & Luxenberg	W/D
L-5800-17	YUHAS V. FOSTER WHEELER	S/J	278	YES	Tanenbaum Keale	Weitz & Luxenberg	adj 6/21
L-5800-17	YUHAS V. J.H. FRANCE	S/J	251	YES	Montgomery Fetten	Weitz & Luxenberg	adj 6/21
L-5800-17	YUHAS V. NELES-JAMESBURY	S/J	219	YES	Drinker Biddle	Weitz & Luxenberg	adj 6/21
L-5800-17	YUHAS V. SCHNEIDER ELECTRIC	S/J	176	YES	Kelley Jasons McGowan	Weitz & Luxenberg	adj 6/21

232
12-1-18

McGIVNEY, KLUGER & COOK, P.C.
Kevin E. Hoffman, Esq. (ID # 006491988)
18 Columbia Turnpike, 3rd Floor
Florham Park, New Jersey 07932
(973) 822-1110
Attorneys for Defendant,
R.E. Carroll, Inc.

4126.0002

6-14-19

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

JOYCE M. ABBOTT, individually and Executrix :
and Executrix ad Prosequendum of the Estate :
of THEODORE ABBOTT, :

Plaintiffs, :

v. :

AMERICAN BILTRITE, INC., et al., :

Defendants. :

:SUPERIOR COURT OF NEW JERSEY
:LAW DIVISION: MIDDLESEX COUNTY
:DOCKET NO. MID-L-3453-16 AS

Civil Action
Asbestos Litigation

ORDER

THIS MATTER having been opened to the Court on Motion of McGivney, Kluger & Cook, P.C., attorneys for Defendant, R.E. Carroll, Inc., for an Order granting said Defendant summary judgment in the within cause of action, and the Court having reviewed the moving papers, and for good cause shown;

IT IS on this 14th day of June 2019;

ORDERED that the Motion for Summary Judgment of Defendant, R.E. Carroll, Inc., is hereby granted ~~in favor of said Defendant and that plaintiffs' claims and any and all cross-claims asserted against this Defendant are hereby dismissed with prejudice; and it is further;~~ ^{denied}

ORDERED that a copy of this Order shall be served upon all attorneys of record within seven (7) days of the date hereof.

Ana C. Viscomi

Honorable Ana C. Viscomi, J.S.C.

Opposed

Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

598
2-15-19
6-14-19

Pamela R. Kaplan
Attorney I.D. No: 074402013
TANENBAUM KEALE LLP
Three Gateway Center
100 Mulberry Street, Suite 1301
Newark, New Jersey 07102
(973) 242-0002

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

Attorneys for Defendant,
CBS Corporation, a Delaware corporation, f/k/a Viacom Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation

<hr/>		:	SUPERIOR COURT OF NEW JERSEY
ALEJANDRO ANTONIO ALVAREZ,		:	LAW DIVISION: MIDDLESEX COUNTY
individually and as Administrator and		:	DOCKET NO. MID-L-003561-16 AS
Administrator ad Prosequendum of the Estate		:	
of MINERVA ALVAREZ; and ANTOLIN		:	CIVIL ACTION
ALVAREZ,		:	ASBESTOS LITIGATION
	Plaintiffs,	:	
		:	ORDER FOR SUMMARY
	-against-	:	JUDGMENT FOR DEFENDANT
		:	CBS CORPORATION
BENJAMIN MOORE AND COMPANY, et		:	
al.,		:	
		:	
	Defendants.	:	

THIS MATTER having come before the Court on Motion of Tanenbaum Keale LLP, attorneys for Defendant CBS Corporation, a Delaware corporation, f/k/a Viacom Inc., successor by merger to CBS Corporation, a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation (hereinafter "CBS Corporation"), and the Court having reviewed the moving and opposition papers, if any, and for good cause shown;

IT IS ON THIS 14th day of June, 2019,

ORDERED that the motion of Defendant CBS Corporation for summary judgment is hereby **GRANTED** and the Complaint and any Counterclaims and Cross-Claims are hereby dismissed with prejudice;

ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of the date hereof.



Honorable Ana C. Viscomi, J.S.C.

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."

81
11-30-18
6-14-19

Marc S. Gaffrey, Esq. (ID# 039221987)
HOAGLAND, LONGO, MORAN, DUNST & DOUKAS, LLP
40 Paterson Street, P.O. Box 480
New Brunswick, New Jersey 08903
(732) 545-4717
Attorneys for Defendant Premier Brands of America Inc.

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

Plaintiffs,
JAMES D. HUFF, individually and as
Administrator and Administrator ad
Prosequendum of the Estate of LINDA KAY
HUFF,

vs.

Defendants,
ARKEMA, INC. et al.

And

Defendant/Third Party Plaintiff,
TOPCO ASSOCIATES LLC

vs.

Third Party Defendants,
DAVION, INC., et al.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
LAW DIVISION

DOCKET NO. MID-L-2818-17 AS

ASBESTOS LITIGATION

CIVIL ACTION

ORDER

This matter having been opened before the Court by defendant Premier Brands of America Inc., by way of motion seeking entry of an Order dismissing plaintiff's Third Amended Complaint as it pertains to Premier Brands of America for lack of personal jurisdiction;

It is, on this 14th day of June, 2018, hereby **ORDERED** that defendant Premier Brands of America Inc.'s motion is **GRANTED**, *as to general jurisdiction* and the complaint is hereby dismissed without *denial as to specific jurisdiction with jurisdictional discovery to commence* prejudice as to Premier Brands of America Inc.; and it is further *in this 30 days, be completed within 60 days thereafter. Motion may be renewed hereafter* **ORDERED** that a copy of this Order shall be served upon all parties within 7 days of the

date listed above.


Hon. Ana Viscomi, J.S.C.

HOAGLAND, LONGO
MORAN, DUNST &
DOUKAS, LLP
ATTORNEYS AT LAW

NORTH JERSEY
40 PATERSON ST
PO BOX 480
NEW BRUNSWICK, NJ

SOUTH JERSEY
701 WALTSEY'S MILL RD
SUITE 202
HAMMONTON, NJ

opposed
 unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

RICCI, TYRRELL, JOHNSON & GREY

BY: FRANCIS J. GREY, JR., Esquire

Identification Nos: 030051989

BY: JASON M. AVELLINO, Esquire

Identification Nos: 018662010

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192
12-25-18
6-14-19

FILED

JUN 14 2019

ANAC. VISCOMI, J.S.C.

*Counsel for Defendant,
Thornton Industries, Inc.*

JAMES HUFF, individually and as
Administrator and Administrator ad
Prosequendum of the Estate of LINDA KAY
HUFF, Deceased,

Plaintiffs,

v.

ARKEMA, INC.;

BRENNTAG NORTH AMERICA, INC.;

BRENNTAG SPECIALTIES, INC.;

COLGATE-PALMOLIVE COMPANY;

CYPRUS AMAX MINERALS COMPANY;

IMERYS TALC AMERICA, INC.;

JOHNSON & JOHNSON;

NOVARTIS CONSUMER HEALTH, INC.;

TOPCO ASSOCIATES, LLC;

TOPCO HOLDINGS, INC.
(COOPERATIVE);

WHITTAKER, CLARK & DANIELS, INC.;

JOHN DOE CORPORATIONS 1-50
(fictitious);

GSK CONSUMER HEALTH, INC.;

:
: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION: MIDDLESEX COUNTY

:
: Docket No. MID-L-2818-17 AS

:
: ASBESTOS LITIGATION

:
: CIVIL ACTION

:
: **ORDER DISMISSING**
: **PLAINTIFFS' THIRD AMENDED**
: **COMPLAINT AND ALL CROSS-**
: **CLAIMS AS ASSERTED AGAINST**
: **DEFENDANT, THORNTON**
: **INDUSTRIES, INC. FOR LACK OF**
: **PERSONAL JURISDICTION**

PREMIER BRANDS OF AMERICA, INC.;

DAVION, INC.;

THORNTON INDUSTRIES, INC.,

Defendants.

This matter being opened to the Court by Defendant, Thornton Industries, Inc., by way of motion seeking entry of an Order Dismissing Plaintiffs' Third Amended Complaint and all cross-claims as asserted against Thornton Industries, Inc. for lack of personal jurisdiction, and any opposition filed thereto;

On this 14th day of June, 2018, it is hereby **ORDERED AND ADJUDGED** that said motion is **GRANTED**. Plaintiffs' Third Amended Complaint and all cross-claims as asserted against Defendant, Thornton Industries, Inc. are hereby dismissed without prejudice;

It is **FURTHER ORDERED**, that a copy of this Order shall be served upon all parties or counsel of record within 7 days of the date listed above.

This motion was:

Opposed Unopposed



J.S.C.
Ana Viscomi, J.S.C.

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

240
12-21-18
6-14-19

**HAWKINS PARNELL
THACKSTON & YOUNG LLP**
By: Roy F. Viola, Jr., Esq. (ID 015301993)
Alexandra Cantamessa Esq. (ID 015902012)
Manuel A. Guevara, Esq. (ID 0165742016)
600 Lexington Ave, 8th Floor
New York, New York 10022
Tel: 212.897.9655
Fax: 646.589.8700
Attorneys for Defendant
American International Industries

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

DWAYNE JOHNSON,

Plaintiff,

vs.

AMERICAN INTERNATIONAL INDUSTRIES,
et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

Docket No.: MID-L-6651-16AS
CIVIL ACTION – ASBESTOS LITIGATION

**ORDER GRANTING MOTION FOR
SUMMARY JUDGMENT *as to common***

law courts only

THIS MATTER HAVING BEEN OPENED to the Superior Court of New Jersey, Law Division, Middlesex County, by Hawkins Parnell Thackston & Young LLP, attorneys for Defendant **AMERICAN INTERNATIONAL INDUSTRIES** (“AII”), for an Order granting Summary Judgment, is hereby decided by the Court, after having considered the application and the submissions of counsel and having concluded that there is no genuine issue of material fact and for good cause shown; the Decision/Order of this Court on Motion for Summary Judgment or alternatively, Partial Motion for Summary Judgment is as follows:

IT IS HEREBY ORDERED on this 14th Day of June, 2019, that, dismissal is granted to AII and Plaintiff’s Complaint and all ~~cross-claims against AII~~ are hereby dismissed with prejudice; *as to common law courts only*

IT IS FURTHER ORDERED that the expert report of Jacqueline Moline is struck from consideration as net opinion; *denied*

IT IS FURTHER ORDERED, in the alternative, that Dr. Moline is ordered to appear for a Rule 104 hearing to assess the soundness of her methodology and her qualifications as an expert; *denied*

IT IS FURTHER ORDERED, in the alternative, that dismissal is granted with prejudice to American International Industries of all claims or causes of action in Plaintiffs’ *denied*

Complaint and/or cross-claims against Defendant AII based on an allegation that AII is the successor to PINAUD, INC., BARBARA ALICE, INC., ED. PINAUD, INC. d/b/a ED. PINAUD, and NESTLE-LEMUR COMPANY a/k/a Neslemur Company, by virtue of an Asset Purchase Agreement, entered into on August 13, 1987 by the Neslemur Company, as Seller, by Kleer-Vu Industries, as the corporate parent of Neslemur Company, and by AII as Purchaser. Defendant AII is not liable for any Clubman talcum powder that was manufactured by or for the Neslemur Company or its predecessors and that was sold or distributed by the Neslemur Company or its predecessors;

denied
IT IS FURTHER ORDERED, ~~in the alternative~~, that Plaintiffs' claim for punitive damages against AII is ~~dismissed with prejudice~~, *denied without prejudice*

IT IS FURTHER ORDERED that Hawkins Parnell Thackston & Young LLP must serve a copy of this Order on all counsel of record in this matter, within seven (7) days of the date of the entry hereof.

Date: 6/14, 2018⁹



Honorable Ana C. Viscomi, J.S.C.

Opposed

Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

Franklin D. Paez, ID # 006192010
**O'TOOLE SCRIVO FERNANDEZ WEINER
VAN LIEU, LLC**
14 Village Park Road
Cedar Grove, NJ 07009
(973) 239-5700
Attorneys for Defendant, Akebono Brake
Corporation

1247
11-30-18
6-14-19

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO. MID-L-5516-16AS

CAROL CINDY KOPP, Individually and as
Administrator and Administrator ad Prosequendum
of the Estate of Stephen J. Kopp, III,

Plaintiff

vs.

BRIDGESTONE FIRESTONE NORTH
AMERICA TIRE, LLC, *et al*

Defendants

Civil Action

Asbestos Litigation

ORDER

This matter having come before the Court on motion of O'Toole Scrivo Fernandez Weiner Van Lieu, LLC, attorneys for Defendant, Akebono Brake Corporation, and the Court having reviewed the moving and opposition papers, if any, and for good cause shown;

IT IS ON THIS 14th DAY OF June, 2018

ORDERED the motion for entry of a Protective Order precluding the deposition of Defendant Akebono Brake Corporation's corporate representative is hereby ~~GRANTED~~ ^{denied}, and it is ~~further~~

ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of the date hereof.



Ana C. Viscomi, J.S.C.

Papers Considered:
 Moving Papers
 Opposing Papers

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

1399
2-15-19
6-14-19

LEVY KONIGSBERG, LLP
800 Third Avenue, 11th Floor
New York, New York 10022
(212) 605-6200
By: Robert I. Ellis, Esq. (ID: 203162017)
Attorneys for Plaintiff

FILED

JUN 14 2019

ANAC. VISCOMI, J.S.C.

<p>CAROL CINDY KOPP, Individually and as Administrator and Administrator ad Prosequendum of the Estate of Stephen J. Kopp, III Plaintiff,</p> <p>v.</p> <p>BRIDGESTONE FIRESTONE NORTH AMERICAN TIRE, LLC, as successor in interest to Bridgestone/Firestone, Inc. and WorldBestos Corporation, et al. Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION, MIDDLESEX COUNTY</p> <p>DOCKET NO.: MID-L-5516-16AS</p> <p><u>Civil Action – Asbestos Litigation</u></p> <p>ORDER</p>
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THIS MATTER, having come before the Court by way of Plaintiff's Cross-Motion to Compel, Robert I. Ellis of Levy Konigsberg, LLP, appearing on behalf of Plaintiff, Carol Cindy Kopp, and on timely notice to Counsel of Record for Defendant, Akebono Brake Corporation, and the Court having considered Defendants moving papers, Plaintiff's Cross-Motion, and any oppositions and replies thereto, and for good cause shown;

IT IS, on this 14th day of February, 2019;

ORDERED, that Akebono Brake Corporation's Motion for a Protective Order Precluding the Deposition of Akebono Brake Corporation's Corporate Representative is hereby **DENIED**; and it is further

ORDERED, that Plaintiff's Cross Motion to Compel is hereby **GRANTED**; and Akebono Brake Corporation shall:

- (1) produce a corporate representative for a deposition within forty-five (45) days from the date hereof; and
- (2) provide documents responsive to Plaintiff's Notice of Deposition ten (10) days prior to the taking of the deposition; and
- (3) provide substantive answers and documents responsive to Plaintiff's Supplemental Interrogatories and First Request for Production of Documents within ten (10) days from the date hereof; and it is further

ORDERED, that Plaintiff's Cross Motion for reasonable expenses incurred in obtaining this order for discovery is hereby **GRANTED** pursuant to R. 4:23-1, and Plaintiff shall submit and affidavit to the Court within ten (10) days ^{demanded} setting forth her costs.

ORDERED, that counsel should forward a copy of this Order to all counsel of record within seven (7) days from the date hereof.



Hon. Ana C. Viscomi, J.S.C.

OPPOSED
UNOPPOSED

It is further Ordered that the time frames shall commence from the date of advising of insufficiency of responses.

On 6/14/19 the court's statement of reasons have been set forth on the record.

220
9-28-18
6-14-19

RAWLE & HENDERSON LLP
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(215) 575-4200
Attorneys for Defendant
Cyprus Amax Minerals Company

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY**

DOCKET NO. MID-L-4652-17AS

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

**DOMENICA LABARR-MABRY and AMANDA
LABARR-MABRY**

Plaintiffs,

v.

BRENNTAG NORTH AMERICA, et al.

Defendants.

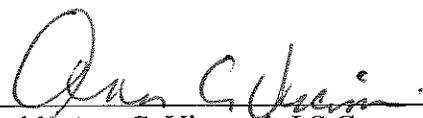
:
: **ASBESTOS LITIGATION**
:
: **CIVIL ACTION**
:
: **ORDER**
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This matter having come before the Court on Motion of Rawle & Henderson LLP, attorneys for Defendant Cyprus Amax Minerals Company, and the Court having reviewed the moving and opposition papers, if any, and for good cause shown;

IT IS ON THIS 14th DAY OF June, 2018,

ORDERED the motion of Defendant Cyprus Amax Minerals Company, for summary judgment is hereby granted *as to common law counts, denied with regard to the rest and denied without prejudice as to punitive damages* and the Complaint and any Counterclaims and Cross-Claims are hereby dismissed with prejudice.

ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of the date hereof.



Honorable Ana C. Viscomi, J.S.C.

Opposed X Unopposed _____

On 6/14/19 the court's statement of reasons have been set forth on the record.

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6-14-19

**HAWKINS PARNELL
THACKSTON & YOUNG LLP**

By: Roy F. Viola, Jr., Esq. (ID 015301993)
Alexandra Cantamessa Esq. (ID 015902012)
Manuel A. Guevara, Esq. (ID 0165742016)
600 Lexington Ave, 8th Floor
New York, New York 10022
Tel: 212.897.9655
Fax: 646.589.8700
Attorneys for Defendant,
American International Industries

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

MARGARET ROSE LANGLEY LASHLEY and
EDWARD GENE LASHLEY,

Plaintiff,

vs.

AMERICAN INTERNATIONAL INDUSTRIES,
et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

Docket No.: MID-L-7336-16AS
CIVIL ACTION – ASBESTOS LITIGATION

**ORDER GRANTING MOTION FOR
PARTIAL SUMMARY JUDGMENT as to
Common law Courts only**

THIS MATTER HAVING BEEN OPENED to the Superior Court of New Jersey, Law Division, Middlesex County, by Hawkins Parnell Thackston & Young LLP, attorneys for Defendant **AMERICAN INTERNATIONAL INDUSTRIES** (“AII”), for Order granting AII’s motion for partial summary judgment, is hereby decided by the Court, after having considered the application and the submissions of counsel and having concluded that there is no genuine issue of material fact and for good cause shown; the Decision/Order of this Court on Defendant AII’s motion is as follows:

IT IS HEREBY ORDERED on this 14th Day of June, 201~~8~~⁹, that, dismissal is granted with prejudice to American International Industries of ~~all claims or causes of action in~~ Plaintiffs’ Complaint and/or cross-claims against Defendant AII based on an allegation that AII is the successor to PINAUD, INC., BARBARA ANCE, INC., ED. PINAUD, INC. d/b/a ED. PINAUD, and NESTLE-LEMUR COMPANY a/k/a Neslemur Company, by virtue of an Asset Purchase Agreement, entered into on August 13, 1987 by the Neslemur Company, as Seller, by Kleer-Vu Industries, as the corporate parent of Neslemur Company, and by AII as Purchaser. Defendant AII is not liable for any ~~Glubman talcum powder~~ talcum powder that was manufactured by or for the Neslemur Company or its predecessors and that was sold or distributed by the Neslemur Company or its predecessors.

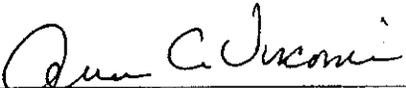
Common law
Courts only.

IT IS FURTHER ORDERED that ~~Plaintiffs'~~ *denied* claim for punitive damages against AII is dismissed with prejudice.

IT IS FURTHER ORDERED that ~~Counts Four and Five of Plaintiffs'~~ *denied* Complaint as against AII for strict liability and for violating the Products Liability Act of New Jersey are dismissed with prejudice pursuant to the application of North Carolina law.

IT IS FURTHER ORDERED that Hawkins Parnell Thackston & Young LLP must serve a copy of this Order on all counsel of record in this matter, within seven (7) days of the date of the entry hereof.

Date: 6/14/19, 2018⁹


Honorable Ana C. Viscomi, J.S.C.

Opposed

Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

M # 223
7-2018
6/14/19

Robert D. Brown, Jr., Esq.
Attorney ID: 033131998
GIBBONS P.C.
One Gateway Center
Newark, New Jersey 07102-5310
(973) 596-4500
Attorneys for Defendant Hoffmann-La Roche Inc.

FILED
JUN 14 2019

ANA C. VISCOMI, J.S.C.

MICHAEL MARRAPODI, as Executor
of the Estate of GEORGE
MARRAPODI, deceased,

Plaintiffs,

v.

A.J. FRIEDMAN SUPPLY CO, INC.,
et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY
DOCKET NO.: MID-L-4647-13 AS

Civil Action

**ORDER GRANTING ROCHE'S RENEWED
MOTION FOR RECONSIDERATION AND
SUMMARY JUDGMENT**

This matter having come before the Court on Motion of Gibbons P.C., attorneys for Defendant Hoffmann-La Roche Inc. and the Court having reviewed the moving and opposition papers, if any, and for good cause shown;

IT IS on this 14th day of July, 2018

ORDERED that Roche's Renewed Motion for Reconsideration and Summary Judgment is hereby granted and the Complaint and any Counterclaims and Cross-Claims are hereby dismissed with prejudice; and

ORDERED that a copy of this Order shall be served on all counsel within seven (7) days of the date hereof.


Hon. Ana C. Viscomi, J.S.C.

 Opposed
 Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

6-14-19

WILENTZ, GOLDMAN & SPITZER
Jon G. Kupilik, Esquire
NJ I.D. #029221984
90 Woodbridge Center Drive
P.O. Box 10
Woodbridge, New Jersey 07095-0958
Attorneys for Plaintiff

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

-----X	:	SUPERIOR COURT OF NEW JERSEY
SZATKOWSKI,	:	LAW DIVISION-MIDDLESEX COUNTY
	:	DOCKET No.: L-3056-17 AS
Plaintiff,	:	
	:	
v.	:	ORDER
	:	
DAP, INC. et al.,	:	
	:	
Defendants.	:	
-----X	:	

THIS MATTER having been opened to the Court by O'Toole, Scrivo, Fenandez, Weiner & Van Lieu, LLC, attorneys for defendant, E&B Mill Supply Company, for an Order granting summary judgment dismissing plaintiff's Complaint, and the Court having considered the papers submitted, oral argument of counsel and for other good and sufficient cause;

IT IS ON this *14th* day of *June*, 2018⁹,

ORDERED that E&B Mill Supply Company's motion for summary judgment is hereby denied; and *It is further Ordered that if it is relying on any witnesses at time of trial for E&B testimony, that it identify & make available for deposition & if requested*

IT IS FURTHER ORDERED that a copy of this Order be served on all counsel of record within *7* days from the date hereof.

Ana C. Viscomi

ANA C. VISCOMI, J.S.C.

On 6/14/19 the court's statement of reasons have been set forth on the record.

242
11-4-18
6-14-19

ASBESTOS LITIGATION

<p>MARGOLIS EDELSTEIN 100 Century Parkway, Suite 200 Mount Laurel, NJ 08054 (856) 727-6000 Attorneys for Defendant, Ernst Flow Industries, Inc. By: Dawn Dezii (Attorney I.D. # 033647988) Our File No.: 21500.1-03904</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO.: MID-L-3056-17-AS</p> <p style="text-align: center;">FILED JUN 14 2019 ANA C. VISCOMI, J.S.C.</p>
<p>JOHN SZATKOWSKI</p> <p style="text-align: right;">Plaintiff,</p> <p>v.</p> <p>DAP, INC., et al.</p> <p style="text-align: right;">Defendants.</p>	<p style="text-align: center;">ASBESTOS LITIGATION</p> <p style="text-align: center;">Civil Action</p> <p style="text-align: center;">ORDER FOR SUMMARY JUDGMENT BY DEFENDANT, ERNST FLOW INDUSTRIES, INC.</p>

This matter having been brought before the Court on Motion of Margolis Edelstein, attorneys for Defendant, Ernst Flow Industries, Inc., and the Court having reviewed the moving and opposition papers, if any, and for good cause shown:

IT IS on this 14th day of June, 2018.

ORDERED the motion of defendant, Ernst Flow Industries, Inc., for summary judgment is hereby granted and the ~~Complaint and any Counterclaims and Crossclaims~~ ^{denied} are hereby dismissed with prejudice.

A copy of the within Order shall be sent to all counsel within seven (7) days of the date hereof.


HONORABLE ANA C. VISCOMI, J.S.C.

Opposed
 Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

6-14-19

McGIVNEY, KLUGER & COOK, P.C.
Jonathan C. Lee, Esq. (ID No. 244342018)
18 Columbia Turnpike, 3rd Floor
Florham Park, NJ 07932
(973) 822-1110
Attorneys for Defendant, S-M Electric Co., Inc.

1965-0019

FILED
JUN 14 2019
ANAC. VISCOMI, J.S.C.

<p>LINDA SZATKOWSKI, individually and as Executrix of the Estate of JOHN SZATKOWSKI,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DAP, INC., et al.,</p> <p>Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION-MIDDLESEX COUNTY DOCKET NO.: MID-L-3056-17 AS</p> <p>Civil Action</p> <p>ORDER</p>
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THIS MATTER, having been opened to the Court by application of Defendant, S-M Electric Co., Inc., by and through its counsel, McGivney, Kluger & Cook, P.C., for an Order Dismissing Plaintiffs' Amended Complaint with prejudice for failure to state a claim pursuant to R. 4:6-2(e) and the Court having read the submissions of counsel and considered the oral arguments presented, if any, and for good cause having been shown,

IT IS on this 14th day of June, 2018,

ORDERED that Defendant, S-M Electric Co., Inc.'s Motion to Dismiss Plaintiffs' Fourth Amended Complaint, in part, with respect to Plaintiff's *per quod* claims with prejudice for failure to state a claim is **GRANTED**; and it is further

ORDERED that a copy of this Order be served upon all counsel within seven (7) days of the receipt hereof.

Opposed ✓
Unopposed _____

Ana C. Viscomi
J.S.C.
Ana Viscomi, J.S.C.

McGivney Kluger & Cook, P.C.
Marc J. Wisel, Esq. NJ ID #031052004
18 Columbia Turnpike, 3rd Floor
Florham Park, New Jersey 07932
P: (973) 822-1110
E: mwisel@mkclaw.us.com
Attorneys for Defendant, S.M. Electric Co., Inc.

214
11-9-18
1965-19

6-14-19
FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

JOHN SZATKOWSKI; Plaintiff, -vs- DAP, INC., et. al; Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO. MID-L-3056-17(AS) Civil Action <u>Asbestos Litigation</u> ORDER
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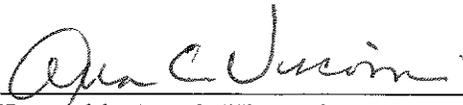
THIS MATTER having been opened to the court on motion by McGivney Kluger & Cook, P.C., attorneys for defendant S.M. Electric Co., Inc. for an order granting summary judgment and a dismissal of all claims and crossclaims with prejudice, and the court having reviewed the moving papers, and any opposition thereto, and for good cause having been shown;

IT IS on this 14th day of June, 2018;

ORDERED that summary judgment shall be and hereby is granted in favor of defendant S.M. Electric Co., Inc.; and it is *as to strict liability and denied w/out prejudice as to negligence.*

FURTHER ORDERED that all claims and crossclaims against defendant S.M. Electric Co., Inc. shall be and hereby are dismissed with ~~prejudice~~ *as to strict liability*; and it is

FURTHER ORDERED that a copy of this order shall be served upon all attorneys of record within 7 days of receipt by counsel for the moving party.


Honorable Ana C. Viscomi, J.S.C.

Opposed
 Unopposed

On 6/14/19 the
court's statement of reasons
have been set forth on the record.

172
1-2579
6-14-19

<p>GIBBONS P.C. Ethan D. Stein (NJ ID # 040581995) One Gateway Center Newark, NJ 07102-5310 (973) 596-4500 Attorneys for Defendant Honeywell International Inc. (f/k/a AlliedSignal Inc., as successor-in-interest to The Bendix Corporation)</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: MIDDLESEX COUNTY DOCKET NO. MID-L-2555-18 AS</p> <p>FILED JUN 14 2019 ANA C. VISCOMI, J.S.C.</p>
<p>CALEB SHANE TESMER, Plaintiff,</p> <p>vs.</p> <p>BORG-WARNER CORP., et al., Defendants.</p>	<p><u>ASBESTOS LITIGATION</u></p> <p><u>CIVIL ACTION</u></p> <p>ORDER</p>

This matter having been opened to the Court by Gibbons P.C., attorneys for defendant, Honeywell International Inc. (f/k/a AlliedSignal Inc., as successor-in-interest to The Bendix Corporation), upon application for an Order dismissing this action pursuant to the doctrine of *forum non conveniens*, and the Court having considered all papers submitted and the arguments of counsel, and for good cause,

It is on this 14th day of June, 2019,

ORDERED that all claims asserted by plaintiffs in this action are hereby dismissed without prejudice and without costs, and further, that a copy of this Order shall be served by Gibbons P.C. on all counsel of record within seven (7) days hereof.



 , J.S.C.

Ana Viscomi, J.S.C.

This Motion Was:
 Opposed
 Unopposed

On 6/14/19 the
 court's statement of reasons
 have been set forth on the record.

155
8-31-18
6-14-19

Jardim, Meisner & Susser, P.C.
Nancy Giacumbo, Esq. NJ #021291984
30B Vreeland Road, Suite 201
Florham Park, NJ 07932
(973) 845-8620
Attorneys for Defendant, Hollingsworth & Vose Company

FILED

JUN 14 2019

ANA C. VISCOMI, J.S.C.

<p>GRAHAM WHITE, Individually and as Executor and Executor ad Prosequendum of the Estate of HELEN WHITE, Deceased</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>BORG-WARNER MORSE TEC LLC (sued individually and as successor-in-interest to BORG-WARNER CORPORATION), et als.,</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION – MIDDLESEX COUNTY DOCKET NO. MID L-03705-18- AS Civil Action Asbestos Litigation</p> <p style="text-align: center;">ORDER DISMISSING COMPLAINT AND ALL CROSSCLAIMS AGAINST HOLLINGSWORTH & VOSE COMPANY WITH PREJUDICE PURSUANT TO N.J. CT. R. 4:6-2(b)</p>
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THIS MATTER having been brought before the Court by Jardim, Meisner & Susser, P.C., attorneys for Defendant, Hollingsworth & Vose Company, by way of Motion to Dismiss Plaintiff's Complaint and all cross-claims asserted against Hollingsworth & Vose Company in this matter for lack of personal jurisdiction pursuant to N.J. Ct. R. 4:6-2(b), and the Court having considered the papers submitted herein, and for good cause having been shown;

IT IS on this 14th day of June, 2018⁹;

ORDERED that Defendant, Hollingsworth & Vose Company's Motion to Dismiss be and is hereby GRANTED and it is

FURTHER ORDERED that the Plaintiff's Complaint and all cross-claims asserted against Hollingsworth & Vose Company in this matter be and are dismissed with prejudice; and it is further

ORDERED that a copy of this Order shall be served upon the Plaintiffs' counsel and all defense counsel of record, within seven (7) days from the date hereof.


Ana C. Viscomi, J.S.C.

Opposed
 Unopposed

On 6/14/19 the court's statement of reasons have been set forth on the record.

