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

IN RE: ASBESTOS PRODUCTS LIABILITY LITIGATION (No. VI)	:	Consolidated Under MDL DOCKET NO. 875
VARIOUS PLAINTIFFS		Transferred from the Northern District of Ohio
v.		
VARIOUS DEFENDANTS		Certain "MARDOC" cases listed in Exhibit "A," attached

FILED
MAY -4 2015
MICHAEL E. KUNZ, Clerk
By_____ Dep. Clerk

MARDOC SUGGESTION OF REMAND (No. 32)

AND NOW, this **4th** day of **May, 2015**, it is hereby **ORDERED** that, upon review of the cases listed in Exhibit "A," attached, and based on the factors identified in the Court's Administrative Order No. 18, No. 01-875 (E.D. Pa. April 30, 2009), ECF No. 6197, the Court finds that:

a.) Plaintiffs have complied with MDL 875 Administrative Order No. 25, No. 02-875 (E.D. Pa. June 23, 2013), ECF No. 2614.

b.) The parties have completed their obligations under the Rule 16 orders issued by the Court (see No. 02-875, ECF Nos. 594-600).

c.) All discovery has been completed.

d.) The Court has adjudicated all outstanding motions, including dispositive motions.

e.) Rule 18 settlement discussions have been exhausted in the transferee court. Some of the parties have

indicated that additional settlement discussions may be beneficial after the case is remanded to the transferor court.

f.) The Court finds that the cases are prepared for trial without delay once on the transferor court's docket, subject to any trial-related motions in limine (including Daubert challenges).

g.) The remaining viable defendants for trial in each case, according to Plaintiffs, are listed in Exhibit "B," attached.

h.) The Court issued an opinion on punitive damages on July 9, 2014 (see No. 02-875, ECF No. 4376). Any punitive damages claims that remain in an individual case are also remanded to the transferor court.[1]

Accordingly, the Court **SUGGESTS** that the cases listed in Exhibit "A," attached, be **REMANDED** to the United States

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[1] On the Court's "land-based" docket, the MDL 875 Court has severed and retained most claims for punitive damages prior to the cases being remanded to the transferor courts. See In re Collins, 233 F.3d 809, 810 (3d Cir. 2000) ("It is responsible public policy to give priority to compensatory claims over exemplary punitive damage windfalls; this prudent conservation more than vindicates the Panel's decision to withhold punitive damage claims on remand."); see also In re Roberts, 178 F.3d 181 (3d Cir. 1999). The maritime docket (MARDOC) has proceeded along a different track. See Sanchez v. Various Defendants, No. 02-875, 2014 WL 3353044, at *1 (E.D. Pa. July 9, 2014) (Robreno, J.). All remaining MARDOC cases should be closed or remanded in the near future. Accordingly, the Court deems it appropriate to remand all remaining claims in each of the MARDOC cases.

District Court for the **Northern District of Ohio** for resolution of all matters pending within each case.

Alternatively, the parties in each case have **seven (7) days** within which to consent to a trial before an Article III or Magistrate Judge in the Eastern District of Pennsylvania. In such an event, if consent is granted, a trial will be scheduled within sixty (60) days, on a date convenient to the parties in Philadelphia, Pennsylvania, and the Suggestion of Remand will be vacated as to that case.

It is further **ORDERED** that all viable (non-bankrupt) defendants who are not identified in Exhibit "B" as a pending defendant in each case are **DISMISSED** from the respective case(s).

AND IT IS SO ORDERED.

EDUARDO C. ROBRENO, J.

SUGGESTION OF REMAND MEMORANDUM
Updated November 24, 2014

To: Transferor Judge
From: Judge Eduardo C. Robreno, Presiding Judicial Officer, MDL 875
Re: Asbestos case that has been transferred to your court

Status of the case that has been transferred from the Eastern District of Pennsylvania

This case has been transferred back to the transferor court, from the MDL 875 Court in the Eastern District of Pennsylvania.

Cases that are remanded to transferor courts are ordinarily ready for trial, pursuant to this Court's Administrative Order No. 18 (see http://www.paed.uscourts.gov/mdl875d.asp).

Specific information regarding the history of a specific case while it was in the MDL 875 Court can be found in the Suggestion of Remand (above) that the MDL Court submitted to the Judicial Panel on Multidistrict Litigation in connection with its Order.

History of MDL 875, In re: Asbestos Products Liability Litigation

MDL 875, In re: Asbestos Products Liability Litigation, involves issues relating to personal injury damages caused by asbestos products. It currently consists of about 3,000 cases transferred by the Judicial Panel on Multidistrict Litigation, which has been transferring cases to the Eastern District of Pennsylvania since 1991. Each case typically consists of claims by multiple plaintiffs against multiple defendants. Since its inception, the litigation has involved more than 100,000 cases and up to ten million claims, including land-based and maritime claims ("MARDOC").

Beginning with Administrative Order No. 12 (see http://www.paed.uscourts.gov/mdl875d.asp) in 2008, the Court initiated an aggressive, pro-active policy to facilitate the processing of cases. The policy involves giving newly transferred cases scheduling orders; setting cases for settlement conferences; having motion hearings; and remanding trial-ready cases to transferor courts, or, in the alternative, holding trials in the Eastern District of Pennsylvania (if so requested by the parties). Administrative Order No. 25 serves the same purpose for MARDOC cases.

Resources available for transferor courts on the MDL 875 website

More information about the history of MDL 875 can be found on the Eastern District of Pennsylvania's MDL 875 website at http://www.paed.uscourts.gov/mdl875a.asp. Additionally, all Administrative Orders issued in this litigation (including current Orders and those no longer in effect) can be found at http://www.paed.uscourts.gov/mdl875d.asp.

Also on the website is an Excel spreadsheet of all decisions issued by the Presiding Officer on

substantive and procedural matters since 2008 (see http://www.paed.uscourts.gov/mdl875n.asp). This spreadsheet is updated regularly, and it can be sorted by jurisdiction, case caption, subject matter, party name, etc. It is also word searchable. The MDL-875 Court intends this spreadsheet to be a helpful resource for transferor courts addressing issues similar to those already addressed by the MDL-875 Court.

Other options available to assist the Transferor Court with legal research include searchable databases created by LexisNexis and Westlaw. Directions on how to access these databases can be found on http://www.paed.uscourts.gov/mdl875n.asp.

Contact information for the MDL 875 Court

The MDL 875 Court is ready, willing and able to assist the transferor court with any matters relating to the transfer of the case or any substantive or procedural issues that may arise.

You may contact the Presiding Judicial Officer (Judge_Eduardo_Robreno@paed.uscourts.gov), the MDL 875 law clerk (Christopher_Lucca@paed.uscourts.gov or (267) 299-7422), or the Clerk's Office ((267) 299-7012)) for further assistance.

Additional information pertaining to MDL 875

The Presiding Judicial Officer has written an extensive article on the history and current status of MDL 875 which may be helpful to the transferor judge. See Hon. Eduardo C. Robreno, The Federal Asbestos Product Liability Multidistrict Litigation (MDL 875): Black Hole or New Paradigm?, 23 Widener L.J. 97 (2014). The article can be found on Westlaw, or a PDF copy of the article can be provided by contacting the MDL 875 law clerk.

Exhibit A		
PA-E Case Number	**Caption**	**OH-N Case Number**
2:11-cv-33235-ER	PHILLIPS et al v. FOSTER WHEELER COMPANY et al	94-11375
2:11-cv-33236-ER	FADEK et al v. ACADEMY TANKERS INC. et al	93-11399
2:11-cv-33246-ER	YUSKIN v. A-C PRODUCT LIABILITY TRUST et al	97-13027
2:11-cv-33254-ER	SINGLETON et al v. A-C PRODUCT LIABILITY TRUST et al	96-12730
2:11-cv-33256-ER	ROBBINS et al v. A-C PRODUCT LIABILITY TRUST et al	95-10985
2:11-cv-33266-ER	LEWIS et al v. A-C PRODUCT LIABILITY TRUST et al	96-10355
2:11-cv-33288-ER	CONNORS v. A-C PRODUCT LIABILITY TRUST et al	00-11137
2:11-cv-33294-ER	MILLER v. A-C PRODUCT LIABILITY TRUST et al	98-10094
2:11-cv-33305-ER	QUINLAN et al v. A-C PRODUCT LIABILITY TRUST et al	97-10884
2:11-cv-33320-ER	PHILLIPS et al v. AMERICAN EXPORT LINES INC. et al	93-11298
2:11-cv-33351-ER	MILLER v. AMERICAN STEAMSHIP CO. et al	87-00666
2:11-cv-33353-ER	WAGNER et al v. A.H. BULL AND CO. et al	93-10355
2:11-cv-33360-ER	PUERTO et al v. FOSTER WHEELER COMPANY et al	94-12276
2:11-cv-33362-ER	BRENNAN et al v. A-C PRODUCT LIABILITY TRUST et al	97-15218
2:11-cv-33365-ER	HARRIS v. FOSTER WHEELER COMPANY et al	94-10742
2:11-cv-33372-ER	ALLEN et al v. A-C PRODUCT LIABILITY TRUST et al	95-10519
2:11-cv-33384-ER	BUCKHANNA et al v. FOSTER WHEELER COMPANY et al	94-11468
2:11-cv-33391-ER	GRIFFITH v. CENTRAL GULF STEAMSHIP CORPORATION et al	93-10869
2:11-cv-33430-ER	YOUNG v. A-C PRODUCT LIABILITY TRUST et al	97-11920
2:11-cv-33432-ER	MILLER v. DELTA STEAMSHIP LINES, INC. et al	86-01722
2:11-cv-33449-ER	DERINGER et al v. A C S INDUSTRIES, INC. et al	88-04707
2:11-cv-33458-ER	TRUMPE et al v. A-C PRODUCT LIABILITY TRUST et al	95-12388
2:11-cv-33478-ER	GRANT et al v. A-C PRODUCT LIABILITY TRUST et al	95-13609
2:11-cv-33494-ER	LAU et al v. FOSTER WHEELER COMPANY et al	94-11663
2:11-cv-33503-ER	MCBRIDE v. A-C PRODUCT LIABILITY TRUST et al	98-11541
2:11-cv-33505-ER	DANSEY et al v. A-C PRODUCT LIABILITY TRUST et al	97-10123
2:11-cv-33549-ER	ALIFANTIS v. SEATRAIN MANHATTAN TANKERS et al	86-01558
2:11-cv-33581-ER	SEMENKEWITZ et al v. FARRELL LINES INC. et al	93-10999
2:11-cv-33593-ER	OSBORNE v. A-C PRODUCT LIABILITY TRUST et al	98-10807
2:11-cv-33597-ER	GOODWIN v. AMERICAN EXPORT ISBRANDTSEN et al	93-11555
2:11-cv-33627-ER	FRAZIER et al v. FOSTER WHEELER COMPANY et al	93-13310
2:11-cv-33646-ER	DENNER et al v. AMERICAN MAIL LINES et al	93-10468
2:11-cv-33648-ER	REYNOLDS et al v. AMERICAN TRADING & PRODUCTION CORP. et al	93-12368
2:11-cv-33650-ER	STURGIS et al v. FOSTER WHEELER COMPANY et al	93-10956
2:11-cv-33691-ER	MORAN v. A-C PRODUCT LIABILITY TRUST et al	00-10342
2:11-cv-33692-ER	HERNANDEZ v. A-C PRODUCT LIABILITY TRUST et al	01-10310
2:11-cv-33714-ER	BROWN et al v. FOSTER WHEELER COMPANY et al	93-13251
2:11-cv-33715-ER	HARIVEL et al v. A-C PRODUCT LIABILITY TRUST et al	96-12937
2:11-cv-33716-ER	GALES v. A-C PRODUCT LIABILITY TRUST et al	96-12891
2:11-cv-33719-ER	ARBITTER v. A-C PRODUCT LIABILITY TRUST et al	97-11298
2:11-cv-33740-ER	ZWEIGLE v. A-C PRODUCT LIABILITY TRUST et al	00-10283
2:11-cv-33757-ER	BROWN et al v. WESTINGHOUSE ELECTRIC CORPORATION et al	93-11395
2:11-cv-33761-ER	MILLER v. CROWLEY TOWING & TRANSP. CO. et al	86-01852
2:11-cv-33792-ER	BENNETT v. A-C PRODUCT LIABILITY TRUST et al	95-14362

2:11-cv-33808-ER	PINEDA et al v. FOSTER WHEELER COMPANY et al	93-12387
2:11-cv-33817-ER	WELLS et al v. FOSTER WHEELER ENERGY CORPORATION et al	93-11042
2:11-cv-33862-ER	PATTON v. ACANDS, INC. et al	89-10706
2:11-cv-33877-ER	FIGUEROA v. A-C PRODUCT LIABILITY TRUST et al	98-13435
2:11-cv-33949-ER	MILLER v. A-C PRODUCT LIABILITY TRUST et al	98-10183
2:11-cv-41832-ER	CHRISTOPHER v. A-C PRODUCT LIABILITY TRUST	98-12963

EXHIBIT B

Civil Action No.	Name	Remand Defendant
2:11CV33235	Phillips, Norris	Mathiasen Tanker Ind. Inc.
		John Crane Inc.
2:11CV33236	Fadek, Murray	John Crane-Houdaille, Inc.
2:11CV33246	Yuskin, John M	Barber Asphalt Corp.
		New York & Cuba Mail S/S Co.
		John Crane Inc.
2:11CV33254	Singleton, Charles E	John Crane Inc.
2:11CV33256	Robbins, Frederick E	John Crane Inc.
2:11CV33266	Lewis, James A	American Export Lines Inc.
		Farrell Lines Inc.
		Amoco Shipping Co.
		American Heavy Lift Co.
		John Crane Inc.
2:11CV33288	Connors, Robert J	United Fruit Company
		John Crane Inc.
2:11CV33294	Jones, Earl	Farrell Lines Inc.
		Trinidad Corporation
		United Fruit Company
		John Crane Inc.
2:11CV33305	Quinlan, Eugene F	BP Corporation N.A.
		John Crane Inc.
2:11CV33320	Phillips, Aaron N	John Crane Inc.
		John Crane-Houdaille, Inc.
2:11CV33351	Kane, Raymond J	American Steamship Co.
2:11CV33353	Wagner, Calvin K	John Crane-Houdaille, Inc.
2:11CV33360	Puerto, Miguel A	United Fruit Company
		John Crane Inc.
2:11CV33362	Brennan, William J	American Export Lines Inc.
		American Export Isbrandtsen
		Sun Oil Corp.
		John Crane Inc.
2:11CV33365	Harris, Ernest L	Cosmopolitan Shipping Co., Inc.
		John Crane Inc.
2:11CV33372	Allen, Percy	Cosmopolitan Steamship Co.
		Cosmopolitan Shipping Co., Inc.
		John Crane Inc.
2:11CV33384	Buckhanna, Oren T	John Crane Inc.
2:11CV33391	Griffith, Raymond	United Fruit Company
		John Crane-Houdaille, Inc.
2:11CV33430	Young, Frederick P	John Crane Inc.
2:11CV33432	Ponson, Junest P	John Crane Inc.
2:11CV33449	Deringer, Alonzo H	John Crane Inc.

2:11CV33458	Trumpe, Sr., Raymond F	American Export Lines Inc.
		Farrell Lines Inc.
		United Fruit Company
		Standard Oil Co. of New Jersey
		Exxon Company USA
		John Crane Inc.
2:11CV33478	Grant, Bruce	John Crane Inc.
2:11CV33494	Lau, Roger H	John Crane Inc.
2:11CV33503	McBride, Elbert	United Fruit Company
		John Crane Inc.
2:11CV33505	Dansey, James R	John Crane Inc.
2:11CV33549	Alifantis, Nick D	John Crane Inc.
2:11CV33581	Semenkewitz, Paul W	John Crane Inc.
		John Crane-Houdaille, Inc.
2:11CV33593	Osborne, Raymond E	John Crane Inc.
2:11CV33597	Goodwin, Herman	John Crane-Houdaille, Inc.
2:11CV33627	Frazier, William A	John Crane Inc.
2:11CV33646	Denner, Jr., Jacob E	John Crane Inc.
		John Crane-Houdaille, Inc.
2:11CV33648	Reynolds, John W	United Fruit Company
		New York & Cuba Mail S/S Co.
		John Crane-Houdaille, Inc.
2:11CV33650	Sturgis, Abraham	Cosmopolitan Shipping Co., Inc.
		John Crane Inc.
		John Crane-Houdaille, Inc.
2:11CV33691	Moran, Hector M	John Crane Inc.
2:11CV33692	Hernandez, Serafin	John Crane Inc.
2:11CV33714	Brown, Freddy H	John Crane Inc.
2:11CV33715	Harivel, Robert W	John Crane Inc.
2:11CV33716	Gales, Madison	Moore McCormack Bulk Transport Inc.
		John Crane Inc.
2:11CV33719	Arbitter, Len W	Mathiasen Tanker Ind. Inc.
		John Crane Inc.
2:11CV33740	Zweigle, Eugene J	John Crane Inc.
2:11CV33757	Brown Jr., Harry E	United Fruit Company
		John Crane-Houdaille, Inc.
2:11CV33761	Cagle Sr., Clarence E	John Crane Inc.
2:11CV33792	Bennett, Benjamin E	United Fruit Company
		John Crane Inc.
2:11CV33808	Pineda, Juan	John Crane-Houdaille, Inc.

2:11CV33817	Wells, Leroy W	John Crane Inc.
		John Crane-Houdaille, Inc.
2:11CV33862	Patton, William R	John Crane Inc.
2:11CV33877	Figueroa, Soltico J	Barber Asphalt Corp.
		John Crane Inc.
2:11CV33949	Guerra, Arnoldo	United Fruit Company
		John Crane Inc.
2:11CV41832	Christopher, Larry	John Crane Inc.