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

MARDOC SUGGESTION OF REMAND (No. 36)

AND NOW, this **22nd** day of **July, 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		**OH-N Case Number**
2:10-cv-38006-ER	BARTEL (MAY) et al v. A-C PRODUCT LIABILITY TRUST et al	98-14955
2:10-cv-54747-ER	PARROTT v. A-C PRODUCT LIABILITY TRUST	98-11082
2:11-cv-30084-ER	ALFARO v. A-C PRODUCT LIABILITY TRUST et al	95-10646
2:11-cv-30300-ER	COOK et al v. A-C PRODUCT LIABILITY TRUST et al	95-10235
2:11-cv-30395-ER	GUILLOT v. A-C PRODUCT LIABILITY TRUST et al	98-10831
2:11-cv-30451-ER	EASY et al v. A-C PRODUCT LIABILITY TRUST et al	95-10610
2:11-cv-30556-ER	NEW et al v. A-C PRODUCT LIABILITY TRUST et al	98-10207
2:11-cv-30582-ER	MILLER v. FOSTER WHEELER COMPANY et al	93-13282
2:11-cv-30609-ER	PAUL et al v. FOSTER WHEELER CO. et al	94-12412
2:11-cv-30642-ER	JAWAD v. A-C PRODUCT LIABILITY TRUST et al	97-12911
2:11-cv-30658-ER	JOHNSON v. A-C PRODUCT LIABILITY TRUST et al	96-15313
2:11-cv-30857-ER	WINTERS v. A-C PRODUCT LIABILITY TRUST et al	99-10871
2:11-cv-31066-ER	SANTIAGO et al v. FOSTER WHEELER COMPANY et al	94-12347
2:11-cv-31109-ER	YORKO v. A-C PRODUCT LIABILITY TRUST et al	97-11786
2:11-cv-31131-ER	PEREZ et al v. FOSTER WHEELER COMPANY et al	93-13293
2:11-cv-31160-ER	BARTEL v. AVON STEAMSHIP CO. INC., et al	94-14126
2:11-cv-31174-ER	MILLER v. A-C PRODUCT LIABILITY TRUST et al	97-11052
2:11-cv-31177-ER	SPANGLER v. A-C PRODUCT LIABILITY TRUST et al	94-12931
2:11-cv-31291-ER	NAPOLEONIS et al v. A-C PRODUCT LIABILITY TRUST et al	95-10304
2:11-cv-31305-ER	SOSA et al v. FOSTER WHEELER COMPANY et al	94-12399
2:11-cv-31481-ER	DOYLE et al v. A-C PRODUCT LIABILITY TRUST et al	94-12993
2:11-cv-31537-ER	HUGHES et al v. A-C PRODUCT LIABILITY TRUST et al	94-10953
2:11-cv-31724-ER	WILLIAMS et al v. FOSTER WHEELER COMPANY et al	94-10991
2:11-cv-31725-ER	CHANEY et al v. FOSTER WHEELER COMPANY et al	94-12464
2:11-cv-31727-ER	HALEY et al v. A-C PRODUCT LIABILITY TRUST et al	00-10560
2:11-cv-31731-ER	MCHALE v. FOSTER WHEELER COMPANY et al	94-11249
2:11-cv-31748-ER	TAMAN v. FOSTER WHEELER COMPANY et al	94-10081
2:11-cv-31803-ER	STUKES et al v. A-C PRODUCT LIABILITY TRUST et al	97-12402
2:11-cv-31862-ER	TILL et al v. FIBREBOARD CORPORATION	95-15164
2:11-cv-31886-ER	LYLE et al v. A-C PRODUCT LIABILITY TRUST et al	95-11591
2:11-cv-31935-ER	BEROUD et al v. A-C PRODUCT LIABILITY TRUST et al	95-13825
2:11-cv-31958-ER	GREENE et al v. FIBREBOARD CORPORATION et al	96-12302
2:11-cv-32061-ER	BRUHL, et al v. A-C PRODUCT LIABILITY TRUST, et al	95-11844
2:11-cv-32062-ER	JOHNSON et al v. A-C PRODUCT LIABILITY TRUST et al	95-11592
2:11-cv-32070-ER	HARDY v. A-C PRODUCT LIABILITY TRUST, ET AL	96-15527
2:11-cv-32122-ER	HAYWARD et al v. A-C PRODUCT LIABILITY TRUST et al	96-12562
2:11-cv-32179-ER	FLORES et al v. A-C PRODUCT LIABILITY TRUST et al	95-13836
2:11-cv-32264-ER	MITCHELL et al v. A-C PRODUCT LIABILITY TRUST et al	95-13471
2:11-cv-32276-ER	DEFRATES et al v. A-C PRODUCT LIABILITY TRUST et al	96-12341
2:11-cv-32278-ER	SUITS v. A-C PRODUCT LIABILITY TRUST et al	96-10983
2:11-cv-32287-ER	MARTINEZ et al v. A-C PRODUCT LIABILITY TRUST et al	95-13833
2:11-cv-32296-ER	ROSE et al v. A-C PRODUCT LIABILITY TRUST et al	95-13558
2:11-cv-32315-ER	GREEN et al v. A-C PRODUCT LIABILITY TRUST et al	95-12697
2:11-cv-32329-ER	REYES et al v. A.P. GREEN INDUSTRIES, INC. et al	95-11528

2:11-cv-32334-ER	MATHIEU et al v. A-C PRODUCT LIABILITY TRUST et al	95-11643
2:11-cv-32390-ER	ARECHAVALA v. A-C PRODUCT LIABILITY TRUST et al	95-14853
2:11-cv-32394-ER	HOWELL et al v. FIBREBOARD CORPORATION	96-10341
2:11-cv-32527-ER	DONOHUE v. A-C PRODUCT LIABILITY TRUST et al	95-12538
2:11-cv-32590-ER	PAGES et al v. A-C PRODUCT LIABILITY TRUST et al	96-11528
2:11-cv-33633-ER	AVERA v. DELTA STEAMSHIP LINES INC. et al	86-04238

EXHIBIT B

Civil Action No.	Name	Remand Defendant
2:10CV38006	May, Norman L	Humble Oil & Refining Company
		Esso Shipping Co.
		Exxon Shipping Co.
		Socony Mobil Oil Co.
		Humble Oil Co.
		Humble Oil Marine Div.
		John Crane Inc.
2:10CV54747	Parrott, Johnny R	John Crane Inc.
2:11CV30084	Alfaro, Abraham	Colonial Tankers Company
		John Crane Inc.
2:11CV30300	Cook, James E	Pelican Marine Carriers Inc.
		John Crane Inc.
2:11CV30395	Guillot, Larry J	John Crane Inc.
2:11CV30451	Easy, Nathaniel	American Oil Co.
		Pan American Petroleum and Transport Company
		BP Corporation N.A.
2:11CV30556	New, Claude V	United Fruit Company
		Cosmopolitan Shipping Co., Inc.
		BP Corporation N.A.
		John Crane Inc.
2:11CV30582	Ortiz, Cruz	United Fruit Company
		John Crane Inc.
2:11CV30609	Paul, Louis B	Trinidad Corporation
		Mathiasen Tanker Ind. Inc.
		John Crane Inc.
2:11CV30642	Jawad, Muhanna	John Crane Inc.
2:11CV30658	Johnson, Leonard S	Alabama Dry Dock
		John Crane Inc.
2:11CV30857	Winters, David L	John Crane Inc.
2:11CV31066	Santiago, Carlos	United Fruit Company
		Cosmopolitan Shipping Co., Inc.
		John Crane Inc.
2:11CV31109	Yorko, Edward W	Amoco Oil Co.
		John Crane Inc.

2:11CV31131	Perez, Jacinto	Farrell Lines Inc.
		United Fruit Company
		American Oil Co.
		Cosmopolitan Shipping Co., Inc.
		Barber Asphalt Corp.
		BP Corporation N.A.
		John Crane Inc.
2:11CV31160	Donnelly, Thomas E	John Crane Inc.
2:11CV31174	Jenkins, Jesse J	John Crane Inc.
2:11CV31177	Spangler, Robert R	Dixie Carriers
		John Crane Inc.
2:11CV31291	Napoleonis, Julio G	New York & Cuba Mail S/S Co.
2:11CV31305	Sosa, Edelmiro	Pan American Petroleum and Transport Company
		John Crane Inc.
2:11CV31481	Doyle, John W	John Crane Inc.
2:11CV31537	Hughes, John R	J. J. Tennant Co. Oregon
		BP Corporation N.A.
		John Crane Inc.
2:11CV31724	Williams, Fernando	Moore McCormack Bulk Transport Inc.
		Mormac Marine Transport, Inc.
		John Crane Inc.
2:11CV31725	Chaney, Donald J	John Crane Inc.
2:11CV31727	Haley, Michael W	J. J. Tennant Co.
		John Crane Inc.
2:11CV31731	McHale, Martin	John Crane Inc.
2:11CV31748	Taman, William T	Amoco Oil Co.
		Amoco Shipping Co.
		American Oil Co.
2:11CV31803	Stukes, Quentin S	United Fruit Company
		BP Corporation N.A.
		John Crane Inc.
2:11CV31862	Till Jr., Fred J	Amoco Shipping Co.
		American Oil Co.
		John Crane Inc.
2:11CV31886	Lyle, James R	Amoco Shipping Co.
		Marine Navigation Company
		BP Corporation N.A.
		John Crane Inc.
2:11CV31935	Beroud, Roger J	John Crane Inc.
2:11CV31958	Greene, Keith B	Amoco Shipping Co.
		Humble Oil & Refining Company
		Exxon Mobil Corporation
		John Crane Inc.

2:11CV32061	De Bruhl, Robert H	Trinidad Corporation
		Barber Asphalt Corp.
		John Crane Inc.
2:11CV32062	Johnson, Lawrence W	American Oil Co.
		Barber Asphalt Corp.
		John Crane Inc.
2:11CV32070	Hardy, Nathaniel	Amoco Shipping Co.
		American Oil Co.
		John Crane Inc.
2:11CV32122	Hayward, Charles D	John Crane Inc.
2:11CV32179	Flores, Richard	GlenEagle Ship Management Co.
		John Crane Inc.
2:11CV32264	Mitchell Jr., Edson V	Standard Oil Co. of New Jersey
		Esso Shipping Co.
		Exxon Mobil Corporation
		John Crane Inc.
2:11CV32276	DeFrates, Francis T	Amoco Oil Co.
		Farrell Lines Inc.
		Pan American Petroleum and Transport Company
		John Crane Inc.
2:11CV32278	Suits, John F	Amoco Oil Co.
		Pan American Petroleum and Transport Company
		BP Corporation N.A.
2:11CV32287	Rodriguez Martinez, Luis	John Crane Inc.
2:11CV32296	Rose, James E	John Crane Inc.
2:11CV32315	Green, Richard S	Cosmopolitan Shipping Co., Inc.
		John Crane Inc.
2:11CV32329	Reyes, Fructuoso	BP Corporation N.A.
		John Crane Inc.
2:11CV32334	Mathieu, Robert F	John Crane Inc.
2:11CV32390	Arechavala, Eduardo A	Blue Water Marine
		John Crane Inc.
2:11CV32394	Howell, Jr., Henry	United Fruit Company
		American Oil Co.
		Barber Asphalt Corp.
		John Crane Inc.
2:11CV32527	Donohue, Michael J	John Crane Inc.
2:11CV32590	Pages, Belgrave A	Amoco Shipping Co.
		American Oil Co.
		John Crane Inc.
2:11CV33633	Avera, Charles L	Ogden Sea Transport, Inc.