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Nardelli J.P., Tom, Andrias, Lerner, Marlow, JJ.

5104 Harold Berkowitz, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

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5105 Gilbert V. Harrison, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

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5106 Anthony Martine, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

5107 Robert Roth,
Plaintiff-Respondent,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

5108 Morton Schwartz, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

5109 Marcus Schwartz, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

5110 Anthony Tancredi, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

5111 Donnel G. Williams, et al.,
Plaintiffs-Respondents,

Stephen Rackow Kaye

-against-

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

Dresser Industries, Inc., et al.,
Defendants-Appellants.

Ira G. Greenberg

Orders, Supreme Court, New York County (Helen Freedman, J.), entered on or about June 18, 2001 (Appeal Nos. 5104, 5105, 5106, 5107, 5108, 5109 and 5111) and July 12, 2001 (Appeal No. 5110), which denied defendants-appellants' motions for summary judgment, unanimously affirmed, without costs.

The inability of certain of plaintiffs to identify defendant Worthington as the manufacturer of the pumps containing the asbestos to which they were allegedly exposed does not require dismissal of their actions, where defendants' own witness

liquids on board a ship could be operated safely without insulation, which Worthington knew would be made out of asbestos (compare, Rogers v Sears, Roebuck & Co., 268 AD2d 245, with Rastelli v Goodvear Tire & Rubber Co., 79 NY2d 289). We have considered defendant's other arguments and find them unavailing.

THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: NOVEMBER 29, 2001

Catherine O'Hagan Wolfe

CLERK