

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: HON. PAUL G. FEINMAN

PART 12

Justice

Re: February 2011  
FIFO GROUP

NYCAL = Weitz + Luxenberg  
February 2011 FIFO Group

INDEX NO. \_\_\_\_\_  
MOTION DATE \_\_\_\_\_  
MOTION SEQ. NO. \_\_\_\_\_  
MOTION CAL. NO. \_\_\_\_\_

The following papers, numbered 1 to \_\_\_\_\_ were read on this motion to/for \_\_\_\_\_.

Notice of Motion/Petition — Affidavits — Exhibits \_\_\_\_\_  
Answering Affidavits — Exhibits (Memo) \_\_\_\_\_  
Notice of Cross-Motion — Affidavits — Exhibits \_\_\_\_\_  
Replying Affidavits (Reply Memo) \_\_\_\_\_

PAPERS NUMBERED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Cross-Motion:  Yes  No

Upon the foregoing papers, it is ORDERED that this motion/petition filed by letter application dated 10/17/11 is granted to the extent of joining Agrisano, Michalski, Owens, Paolini, Ryanowski, and White for trial. As explained at oral argument, the court's view is that all 10 cases proposed by plaintiffs could be joined inasmuch as the Malcolm factors would support joinder of all ten, but for administrative ease, the court has divided the group into two, and has separated Barthold, Codair, Johnson & Lamano out inasmuch as they all share Navy or Shipyard exposure. The court's discussion of these cases on the record at oral argument is deemed incorporated herein. Jury selection will commence 1/9/2012 as previously

Dated: 12/20/2012 PLF  
directed. Any in limine motions should be restricted to issues needing resolution before jury selection and should

- Check one:  FINAL DISPOSITION  NON-FINAL DISPOSITION  
 DO NOT POST  REFERENCE  
 PC/CC \_\_\_\_\_  SETTLE ORDER/JUDG.  
 SUBMIT ORDER/JUDG.

be made by letter application no later than 1/5/2012.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE

