

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

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IN RE: NEW YORK CITY ASBESTOS LITIGATION : NYCAL
-----X (Heitler, J.)
This Document Relates To: : I.A.S. Part 30
: :
ALL WEITZ & LUXENBERG, P.C., CASES : Index No.: 190419/11
IN WHICH PATTERSON PUMP COMPANY :
IS A DEFENDANT : **ORDER**
: **GRANTING**
(See Attached Schedule of Cases and Index Numbers) : **LEAVE TO**
: **PURCHASE INDEX**
: **NUMBER FOR**
: **VOLUNTARY**
: **STIPULATION OF**
: **DISCONTINUANCE**
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WHEREAS, McGivney & Kluger, P.C., defense counsel for Patterson Pump Company, intends to file a Voluntary Stipulation of Discontinuance in favor of Patterson Pump Company applicable in all Weitz & Luxenberg, P.C., cases in which Patterson Pump Company is currently a defendant in this jurisdiction, pursuant to C.P.L.R. § 3217(a)(2) and the Amended Case Management Order § IV (C)(3-4);

WHEREAS, Patterson Pump Company is a defendant in over 9,500 cases involving 15,000+ Weitz & Luxenberg, P.C., plaintiffs in the New York City Asbestos Litigation ("NYCAL");

WHEREAS, paragraphs IV (C)(3-4) of the Amended Case Management Order governing NYCAL requires (1) the Clerk to file a copy of any Voluntary Stipulation of Discontinuance applicable to more than one case in separate files bearing the index number for each such case; and (2) movant is to provide sufficient copies of the Voluntary Stipulation of Discontinuance so that the Clerk may file the Voluntary

Stipulation of Discontinuance in each such separate file; and after a
conference with the court on Oct. 18, 2011
Shirley Heitler

IT IS HEREBY ORDERED that, upon payment of the appropriate fee, if any, the County Clerk shall issue an index number and RJI with the following caption: In Re New York Asbestos Litigation v. Patterson Pump Company, et al.;

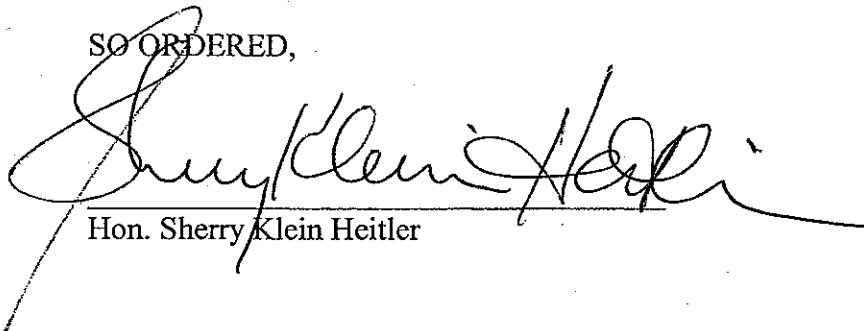
IT IS FURTHER ORDERED that each of the cases in the attached schedule shall be consolidated using this index number for the purposes of the Voluntary Stipulation of Discontinuance only;

IT IS FURTHER ORDERED that this Order, the Voluntary Stipulation of Discontinuance, and any subsequent Orders issued by the Court with respect to the Voluntary Stipulation of Discontinuance, shall be filed solely under this index number.

IT IS FURTHER ORDERED that this Order be attached to the Voluntary Stipulation of Discontinuance, which shall be served on the applicable plaintiffs' counsel by Federal Express or courier and on the applicable defense counsel by e-mail and publication on the NYCAL website.

Dated: New York, New York
October 18, 2011

SO ORDERED,



Hon. Sherry Klein Heitler

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

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IN RE: NEW YORK CITY ASBESTOS LITIGATION : NYCAL
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This Document Relates To: : Hon. Sherry Klein Heitler
: I.A.S. Part 30
:
ALL NEW YORK CITY ASBESTOS LITIGATION :
WEITZ & LUXENBERG, P.C., CASES IN WHICH : Index No. 190419-11
PATTERSON PUMP COMPANY, an OHIO CORP., :
a Subsidiary of the GORMAN-RUPP COMPANY, :
ARE NAMED DEFENDANTS, INCLUDING ALL :
CASES LISTED ON THE ATTACHED RIDER, :
:
against, : **STIPULATION OF**
: **DISCONTINUANCE**
:
PATTERSON PUMP COMPANY, an OHIO CORP., :
a Subsidiary of the GORMAN-RUPP COMPANY, : See Attached List of
: Cases—Schedule A
:
Defendant. :
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IT IS HEREBY STIPULATED AND AGREED in the above-entitled action(s) that all Weitz & Luxenberg, P.C. New York City Asbestos Litigation (“NYCAL”) claims, noted on the attached Schedule “A”, be and are hereby dismissed without prejudice as to defendant, PATTERSON PUMP COMPANY, an OHIO CORPORATION, a Subsidiary of the GORMAN-RUPP COMPANY, only and without costs against either party;

IT IS FURTHER STIPULATED AND AGREED that this dismissal has no bearing on the status of claims pending against any other defendants not a party to this agreement;

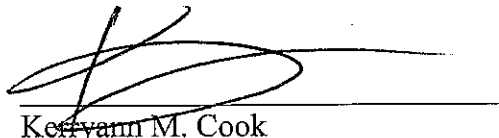
IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be filed with the County Clerk without further notice.

WEITZ & LUXENBERG, P.C.
Attorneys for Plaintiffs



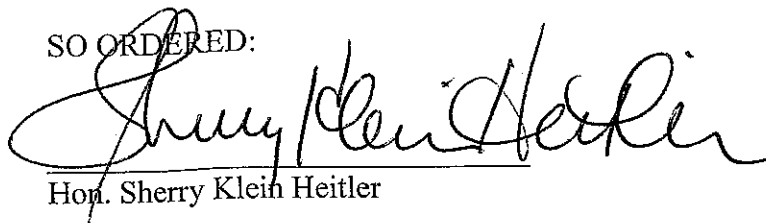
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MCGIVNEY & KLUGER, P.C.
Attorneys for Defendant



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(212) 509-3456

SO ORDERED:



Hon. Sherry Klein Heitler

Dated: November 14, 2011