

SUPREME COURT OF THE STATE OF NEW YORK
ALL COUNTIES WITHIN THE CITY OF NEW YORK

In Re: NEW YORK CITY ASBESTOS LITIGATION

In Re: New York City Asbestos Litigation

v.

Robert A. Keasbey Co., et al.

X
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X
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X

Index No.: 40000/88

Hon. Sherry Klein Heitler
Part 30

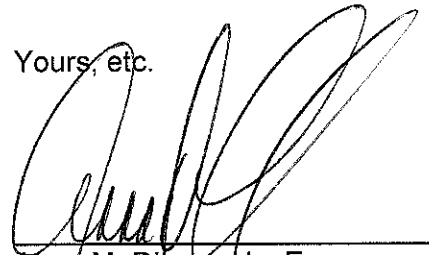
**ORDER WITH
NOTICE OF ENTRY**

PLEASE TAKE NOTICE, that the within Order is a true and accurate copy of the Order signed by the Honorable Sherry Klein Heitler J.S.C., and entered with the New York County Clerk on October 25, 2011.

Dated: Hauppauge, New York
October 27, 2011

Yours, etc.

By:



Anna M. DiLorardo, Esq.
Attorneys for Defendant
Robert A. Keasbey Company
888 Veterans Memorial Highway
Suite 540
Hauppauge, New York 11788
(631) 232-6130

TO: ALL PLAINTIFF COUNSEL
See Annexed Service List

ALL DEFENSE COUNSEL
See Annexed Service List

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

PRESENT: Horizon
Justice

PART 30

NYC ASBESTOS LITIGATION

- v -

Robson Kenney Co.

INDEX NO. 190329/11

MOTION DATE _____

MOTION SEQ. NO. 2

MOTION CAL. NO. _____

The following papers, numbered 1 to _____ were read on this motion to/for _____

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

PAPERS NUMBERED

Cross-Motion: Yes No

Upon the foregoing papers, It is ordered that this motion

is decided in accordance with the memorandum decision dated 10.20.11

FILED

OCT 25 2011

NEW YORK COUNTY CLERK'S OFFICE

Dated: 10.20.11

[Signature]

HON. SHERRY KLEIN HEITLER *s.c.*

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

SUBMIT ORDER/ JUDG.

SETTLE ORDER/ JUDG.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 30

IN RE: NEW YORK CITY ASBESTOS LITIGATION

Index No. 190329/11
Motion Seq. 002

-against-

ROBERT A. KEASBEY CO., et al.,

FILED
OCT 25 2011

NEW YORK
COUNTY CLERK'S OFFICE

DECISION AND ORDER

SHERRY KLEIN HEITLER, J.:

Weiner Lesniak, LLP, counsel for defendant Robert A. Keasbey Co. ("Keasbey"), moves by order to show cause for leave to be relieved as counsel for Keasbey in all New York City Asbestos Litigation ("NYCAL") cases in which it is a defendant.

Now, upon reading and filing the order to show cause herein, the affirmation of Anna M. DiLonardo, Esq., dated August 31, 2011, in support thereof, the exhibits annexed thereto, and proof of due service having been had upon all interested persons pursuant to the order to show cause, and

Upon all of the prior proceedings had herein, and due deliberation having been had thereon, and there being no opposition hereto, and for good cause shown, it is hereby

ORDERED that the motion of Weiner Lesniak, LLP to be relieved as counsel for defendant Robert A. Keasbey Co. in all NYCAL cases in which it is a defendant is granted in its entirety upon condition that within 10 days of entry hereof, Weiner Lesniak, LLP serves a copy of this order with notice of entry upon Robert A. Keasbey Co.'s former executive officer, Mr. Phillip Barretti, 71 West 23rd Street, New York, NY, 10010, by Federal Express, and upon plaintiff's counsel in all NYCAL cases in which Keasbey is a defendant by Federal Express, and upon defense counsel in such cases by email and publication on the NYCAL website, and such service shall be deemed good and sufficient notice of this decision and order, and it is further

ORDERED that, together with the copy of this order with notice of entry directed to be served upon the former client, moving counsel shall also forward a notice instructing the former client to retain a substitute attorney to represent it in these matters within 30 days of service of such notice, and it is further

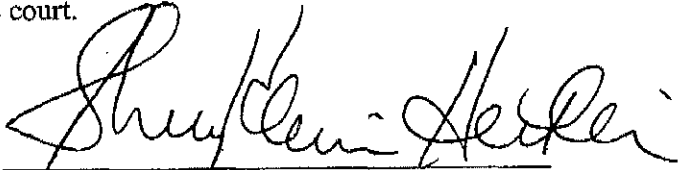
ORDERED that no further proceedings may be taken against the former client without leave of this court for a period of 30 days after service of the aforesaid notice to retain substitute counsel; and it is further

ORDERED that upon filing proof of compliance of the aforesaid conditions with this court, movant shall be relieved as counsel for defendant without further order of this court; and it is further

ORDERED that any substitute attorney retained by Keasbey pursuant to this order shall file a notice of appearance with the Clerk of the Trial Support Office of this court and the Clerk of Part 30 of this court no later than 30 days from the date of service upon Keasbey of the notice to retain substitute counsel.

This constitutes the decision and order of the court.

DATED: October 20, 2011


SHERRY KLEIN HEITLER
J.S.C.

FILED

OCT 25 2011

NEW YORK
COUNTY CLERK'S OFFICE

