SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK : IAS PART 12

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IN RE NEW YORK CITY ASBESTOS LITIGATION
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INDEX NO. 107003/02

REGINA BAUER, as Executrix for the Estate of JOSEPH AUKSTOLIS,

MOTION DATE _____

MOTION SEQ. NO. 1

Plaintiff,

- v -

SUPPLEMENTAL DECISION AND ORDER

A, C. AND S., *et al.*,

Defendants.

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HON. BARBARA JAFFE:

Pursuant to my directive in the decision and order on plaintiffs' motion to consolidate, plaintiffs submit a list indicating the order in which they wish the trials to proceed in the actions at issue in the consolidation motion. Accordingly, it is hereby

ORDERED, that the cases will be tried as follows:

(1) Salvatore Calandrino, Index No. 190439/10, shall be tried individually;

(2) Celestino Figeiredo, Index No. 190079/08, shall be tried individually;

(3) Stephen Dunphy, Index No. 190097/12, shall be tried individually;

(4) Morris Goldmintz, Index No. 190024/09, shall be tried with Harry Stocker, Index No. 190224/10;

(5) Leonard Houck, Index No. 190324/10, shall be tried with Frank Moore, Index No. 190077/10;

(6) John Bauer, Index No. 190375/10, shall be tried with William Jordan, Index No. 113156/98;

(7) Gordon Hosford, Index No. 116228/02, shall be tried with Charles Smith, Index No. 190230/10;

(8) Joseph Billittier, Index No. 113049/99, shall be tried with William Schmidt, Index No. 100554/01;

(9) Russell Gonzales, Index No. 190282/12, shall be tried individually;

(10) Andrew Paul, Index No. 109974/06, shall be tried individually;

(11) Thomas Smyth, Index No. 190232/10, shall be tried individually;

(12) Patrick Leighton, Index No. 190085/09, shall be tried individually;

(13) Joseph Aukstolis, Index No. 107003/02, shall be tried individually;

(14) William Dwyer, Index No. 116943/99, shall be tried individually;

(15) Bruce Flanigan, Index No. 109937/02, shall be tried individually;

(16) William Hanna, Index No. 190092/12, shall be tried individually;

(17) Casimir Rogus, Index No. 119614/01, shall be tried individually;

(18) Anthony Settecase, Index No. 190158/09, shall be tried individually;

(19) Theodore Shaternik, Index No. 112890/00, shall be tried individually;

(20) Wilson Terrillion, Index No. 190271/09, shall be tried individually;

(21) Ronald Underdown, Index No. 190088/10, shall be tried individually; and

(22) Boyd Weller, Index No. 112292/02, shall be tried individually;

It is further

ORDERED, that each trial after the first trial shall commence subject to court availability on at least five days' notice following the completion of the trials ahead of it; it is further

ORDERED, that the parties are directed to schedule a settlement conference with the Special Master to take place within the next 60 days, and to provide the court with an updated defendant list after the conference; and it is further

ORDERED, that counsel for plaintiffs is directed, within 30 days of this order, to file a note of issue and jury demand in all trial cases, to the extent not already filed.

2/5/2018

DATE

BARBARA JAFFE, J.S.C.

HON. BARBARA JAFFE

CHECK ONE:		CASE DISPOSED			X	NON-FINAL DISPOSITION	
	X	GRANTED		DENIED		GRANTED IN PART	OTHER
APPLICATION:		SETTLE ORDER				SUBMIT ORDER	
CHECK IF APPROPRIATE:		DO NOT POST				FIDUCIARY APPOINTMENT	REFERENCE