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**STATE OF NEW YORK
LITIGATION COORDINATING PANEL**

Panel Case No. 0005/2002

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District No. 1:

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

-----X

FRANCISCO PAVON, ROGER PAVON and
FATIMA PAVON,

Plaintiffs,

-against-

Index No.:
112027/02
(Action No. 1)

19th STREET ASSOCIATES LLC.

Defendants.

-----X

19th STREET ASSOCIATES LLC,

Third Party Plaintiffs,

-against-

KALTECH INDUSTRIES GROUP, INC., KALTECH
DIGITAL GRAPHICS, INC., and MUSTAK A.
KHALFAN,

Third Party Defendants.

-----X

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

-----X
CHIAM CHAD DOUGATZ, DARREN DAVIS, DAVID
HIATT LACEY, EILEEN SULLIVAN, JASON GELMAN,
MICHAEL J. ENGLAND, STACY HORTON and
STEPHEN IERVOLINO,

Index No. 603018/02
Action No. 2

Plaintiffs,

-against-

19TH STREET ASSOCIATES LLC, KAUFMAN
MANAGEMENT COMPANY, LLC, and
KALTECH INDUSTRIES GROUP, INC.,

Defendants.

-----X

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

-----X
CONSTANTINE COSA and RASHID RASHID,

Index No. 123819/02
Action No. 3

Plaintiffs,

-against-

19TH STREET ASSOCIATES, a New York Partnership,

Defendant.

-----X

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

-----X
CMS PACKAGING INC., ROSEMARY LOIS and
AVATAR FILMS LTD.,

Plaintiffs,

Index No. 117183/02
Action No. 4

-against-

KAUFMAN MANAGEMENT COMPANY, LLC,
19TH STREET ASSOCIATES LLC and
KALTECH INDUSTRIES GROUP, INC.,

Defendants.

-----X

District No. 2:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
HZAHAM HEMED and ZENAB MUHAMEN HEMED,

Plaintiffs,

Index No. 24712/02
Action No. 5

-against-

KAUFMAN MANAGEMENT COMPANY, LLC,
19TH STREET ASSOCIATES, LLC, 19TH STREET
ASSOCIATES, STEVEN J. KAUFMAN and
GEORGE S. KAUFMAN,

Defendants.

-----X

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
SANDY GILCHRIST,

Plaintiffs,

Index No. 21076/02
Action No. 6

-against-

KALTECH INDUSTRIES GROUP, INC., KALTECH
DIGITAL GRAPHICS, INC., MUSTAK A. KHALFAN,
KAUFMAN GROUP, and KAUFMAN REALTY
CORPORATION,

Defendants.

-----X

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
LIZA ROMAN and RANDY ROMAN, her husband,

Plaintiffs,

Index No. 17954/02
Action No. 7

-against-

KALTECH INDUSTRIES GROUP, INC., 19TH STREET
ASSOCIATES and GEORGE KAUFMAN,

Defendants.

-----X

DECISION

In these seven actions, defendants 19th Street Associates LLC, 19th Street Associates, Kaufman Management Company LLC, Kaufman Realty Corporation, Steven J. Kaufman and George S. Kaufman moved by order to show cause for an Order of Coordination pursuant to Section 202.69 of the Uniform Rules for the Trial Courts. Movants seek coordination of these actions and any related cases subsequently filed.

These cases, four of which are pending in Supreme Court, New York County, and three of which are pending in Supreme Court, Kings County, arise out of an explosion that took place on April 25, 2002 at 121 West 19th Street in Manhattan. The actions seek damages for personal injury and property damage. It is anticipated that a group of 11 employees of defendant Kaltech Industries Group, Inc. ("Kaltech") will file suit in the future. Suits may perhaps be filed by others as well.

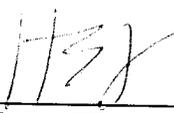
This is clearly an appropriate case for the issuance of an order of coordination. All claims arise out of a single event. The cases will present questions regarding the cause of the explosion. Absent an order of coordination, overlapping and duplicative discovery will take place. An order of coordination will promote judicial economy, avoid the possibility of inconsistent rulings, conserve the time and resources of parties and witnesses, and minimize inconvenience for counsel.

Defendant Kaltech has submitted an affirmation in support of the application of the moving defendants. Counsel for the 11 employees referred to above has submitted an affirmation stating that counsel has no objection to coordination of these cases. Counsel for moving defendants have submitted affidavits of service reflecting service of the order to show cause upon counsel for plaintiffs in all seven actions. No one has submitted opposition on behalf of these plaintiffs.

In light of the foregoing, an Order of Coordination shall be issued. The Panel notes that counsel for defendant has requested "consolidation before the Litigation Coordinating Panel" (Aff. ¶ 6). The attorney for the 11 employees, while expressing lack of opposition to the application, does oppose any effort to "further consolidate" the claims of his clients. Counsel also opposes any effort to have his clients' cases tried in any venue other than the place of commencement. Section 202.69 provides only for coordination of related actions; it is not addressed to the consolidation of cases. Furthermore, the coordination covers pre-trial proceedings only. Upon completion of a coordination process, the actions involved shall be remanded to their counties of origin for trial unless the parties agree otherwise. Section 202.69 (D).

The application is granted. Since the majority of the actions commenced thus far are pending in Supreme Court, New York County and the explosion occurred there, the coordination process shall take place in that County. An appropriate order is being issued simultaneously herewith.

Dated: New York, New York
 February 14, 2003



HON. HELEN E. FREEDMAN
Presiding Justice, First Department



HON. RAYMOND E. CORNELIUS
Justice, Fourth Department

HON. E. MICHAEL KAVANAGH
Justice, Third Department

HON. JOSEPH J. MALTESE
Justice, Second Department

HON. RAYMOND E. CORNELIUS
Justice, Fourth Department

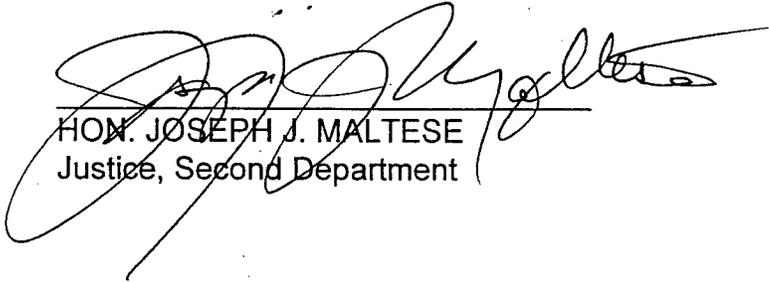
A large, bold, handwritten signature in black ink, appearing to read 'E. Kavanagh', is written over the name of the second justice.

HON. E. MICHAEL KAVANAGH
Justice, Third Department

HON. JOSEPH J. MALTESE
Justice, Second Department

HON. RAYMOND E. CORNELIUS
Justice, Fourth Department

HON. E. MICHAEL KAVANAGH
Justice, Third Department



HON. JOSEPH J. MALTESE
Justice, Second Department