

Faurote v A.O. Smith Water Prods. Co.
2018 NY Slip Op 33225(U)
December 11, 2018
Supreme Court, New York County
Docket Number: 190494/2012
Judge: Manuel J. Mendez
Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op <u>30001</u> (U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.
This opinion is uncorrected and not selected for official publication.

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

PRESENT: MANUEL J. MENDEZ
*Justice*PART 13

IN RE: NEW YORK CITY ASBESTOS LITIGATION

CAROLYN FAUROTÉ, as Administratrix for the
Estate of ROBERT FAUROTÉ, and CAROLYN
FAUROTÉ, Individually

Plaintiffs,

- against -

A.O. SMITH WATER PRODUCTS CO., et al.,

Defendants.

INDEX NO. 190494/2012MOTION DATE 12/11/2018MOTION SEQ. NO. 006

MOTION CAL. NO. _____

The following papers, numbered 1 to 3 were read on Union Carbide Corporation's Pro Hac Vice:

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

Answering Affidavits — Exhibits _____

Replying Affidavits _____

Cross-Motion: ☐ Yes ☒ No

PAPERS NUMBERED

1- 3

Upon a reading of the foregoing papers, it is Ordered that this motion to admit MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., as attorneys Pro Hac Vice is granted without opposition.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of MELVIN D. BAILEY, Esq., an attorney with the law firm of King & Spalding, with offices at 500 W. 2nd Street Suite 1800, Austin, TX 78701 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of KATHERINE W. BINNS, Esq., an attorney with the Binns Law Firm PLLC, with offices at 3839 McKinney Ave., Suite 155-773, Dallas, TX 75204 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of BRUCE T. BISHOP, Esq., an attorney with the law firm of Wilcox & Savage, with offices at 440 Monticello Avenue, Suite 2200, Norfolk, Virginia 23510 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of ERIC D. COOK, Esq., an attorney with the law firm of Wilcox & Savage, with offices at 440 Monticello Avenue, Suite 2200, Norfolk, Virginia

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

23510 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of COLIN K. KELLY, Esq., an attorney with the law firm of Alston & Bird, with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of W. CLAY MASSEY, Esq., an attorney with the law firm of Alston & Bird, with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of CORI C. STEINMANN, Esq., an attorney with the law firm of King & Spalding, with offices at 500 W. 2nd Street Suite 1800, Austin, TX 78701 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of ANNA SUMNER PIESCHEL, Esq., an attorney with the law firm of Alston & Bird with offices at 1201 West Peachtree Street, Suite 4900, Atlanta, GA 30309-3424 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

The attorneys for Defendant Union Carbide Corporation, Darger Errante Yavitz & Blau LLP, located at 116 East 27th Street, 12th Floor, New York, New York 10016 move for the admission Pro Hac Vice of THOMAS J. MOREL, Esq., an attorney with the law firm of Williams Montgomery & John, Ltd with offices at 233 S. Wacker Drive, Suite 6800, Chicago, Illinois 60606-6359 to participate and assist in investigation, discovery, arguments on motions and the trial of the above captioned matter, in whole or in part as counsel of record for the above stated Defendant.

MELVIN D. BAILEY, Esq., is a member in good standing admitted to the Bar in the State of Texas.

KATHERINE W. BINNS, Esq., is a member in good standing admitted to the Bar in the States of Texas, California, Louisiana and the Commonwealth of Pennsylvania.

BRUCE T. BISHOP, Esq., is a member in good standing admitted to the Bar in the State of New Jersey.

ERIC D. COOK, Esq., is a member in good standing admitted to the Bar in the State of West Virginia and the Commonwealths of Virginia and Pennsylvania.

COLIN K. KELLY, Esq., is a member in good standing admitted to the Bar in the State of Georgia.

W. CLAY MASSEY, Esq., is a member in good standing admitted to the Bar in the State of Georgia.

CORI C. STEINMANN, Esq., is a member in good standing admitted to the Bar in the States of California and Texas.

ANNA SUMNER PIESCHEL, Esq., is a member in good standing admitted to the Bar in the States of Georgia and Mississippi.

THOMAS J. MOREL, Esq., is a member in good standing admitted to the Bar in the State of Illinois.

No party to this action has opposed this motion.

Accordingly, it is ORDERED, that the motion to admit **MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq.,** and **THOMAS J. MOREL, Esq.,** Pro Hac Vice is granted without opposition, and it is further,

ORDERED, that **MELVIN D. BAILEY, Esq.,** an attorney at King & Spalding, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **KATHERINE W. BINNS, Esq.,** an attorney at Binns Law Firm PLLC, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **BRUCE T. BISHOP, Esq.,** an attorney at Wilcox & Savage, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **ERIC D. COOK, Esq.,** an attorney at Wilcox & Savage, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **COLIN K. KELLY, Esq.,** an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **W. CLAY MASSEY, Esq.,** an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **CORI C. STEINMANN, Esq.,** an attorney at King & Spalding, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that **ANNA SUMNER PIESCHEL, Esq.,** an attorney at Alston & Bird, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that THOMAS J. MOREL, Esq., an attorney at Williams Montgomery & John, Ltd, is admitted Pro Hac Vice as counsel for Defendant Union Carbide Corporation, in the above captioned case, and may participate in investigation, discovery, arguments of motions and the trial of the above captioned matter in whole or in part, and it is further,

ORDERED, that Jonathan Kromberg, Esq., an attorney at the law firm of Darger Errante Yavitz & Blau LLP shall be responsible for the conduct of the applicant attorneys, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall abide by the standards of professional conduct imposed upon members of the New York State Bar, and shall be subject to the Rules of this Court and of this State, including the Rules governing discipline of attorneys, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall notify the court immediately of any matter or event in this or any jurisdiction which affects her standing as a member of the Bar, and it is further,

ORDERED, that MELVIN D. BAILEY, Esq., KATHERINE W. BINNS, Esq., BRUCE T. BISHOP, Esq., ERIC D. COOK, Esq., COLIN K. KELLY, Esq., W. CLAY MASSEY, Esq., CORI C. STEINMANN, Esq., ANNA SUMNER PIESCHEL, Esq., and THOMAS J. MOREL, Esq., shall forward the Pro Hac Vice fee if any to the clerk of this Court.

ENTER:

MANUEL J. MENDEZ
J.S.C.

Dated: December 11, 2018


MANUEL J. MENDEZ
J.S.C.

Check one: ☐ **FINAL DISPOSITION** ☒ **NON-FINAL DISPOSITION**
Check if appropriate: ☐ **DO NOT POST** ☐ **REFERENCE**