

[Gay v. A.O. Smith Corp.](#)

United States District Court for the Western District of Pennsylvania

June 17, 2021, Decided; June 25, 2021, Filed

Civil Action No. 2:19-cv-1311

Reporter

2021 U.S. Dist. LEXIS 119013 *

ALLISA D. GAY, Plaintiff, v. A.O. SMITH CORPORATION, et al., Defendants.

Core Terms

pumps, asbestos, aboard, products, Blower, summary judgment, manufactured, exposure, asbestos-containing, argues, exposed to asbestos, submarines, proximity, reasons, regularity, recalled, genuine

Counsel: [*1] For ALLISA D. GAY, Executrix of the Estate of CARL E. GAY, Plaintiff: Charles J. McLeigh, LEAD ATTORNEY, Goldberg, Persky & White, P.C., Pittsburgh, PA.

For A.O. SMITH CORPORATION, Defendant: Leo Gerard Daly, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For A.R. WILFLEY & SONS, INC., Defendant: Kimberly A. Martin-O'Bryan, LEAD ATTORNEY, Dehay & Elliston, LLP, Charleston, WV.

For ABB, INC., as successor to Brown Boveri (Individually and as successor-in-interest to ITE IMPERIAL CO f/k/a ITE CIRCUIT BREAKER COMPANY), ALLIED GLOVE CORPORATION, BMI REFRACTORY SERVICES, INC., MCMaster-CARR SUPPLY CO., MCNEIL (OHIO) CORPORATION, POWER PIPING COMPANY, SUNDYNE, LLC, WT/HRC CORPORATION, formerly known as WHITING CORPORATION, Defendants: Concetta A. Silvaggio, Ronald J. Richert, LEAD ATTORNEYS, Willman & Silvaggio, Pittsburgh, PA.

For AECOM ENERGY & CONSTRUCTION, INC., formerly known as URS ENERGY & CONSTRUCTION INC., formerly known as CATALYTIC CONSTRUCTION COMPANY, AIR & LIQUID SYSTEMS CORPORATION, successor-by-merger to Buffalo Pumps, Inc., CERTAINTED CORPORATION, I.U. NORTH AMERICA, INC., as successor by merger to The Garp Company, formerly known as The Gage Company,

formerly known as [*2] Pittsburgh Gage and Supply Company, MILWAUKEE VALVE COMPANY, SAINT-GOBAIN ABRASIVES, INC., formerly known as NORTON COMPANY, VIKING PUMP, INC., Defendants: Jennifer E. Watson, LEAD ATTORNEY, Wilbraham Lawler & Buba, Pittsburgh, PA.

For AIRTEK, INC., LOCKHEED MARTIN CORPORATION, Defendants: Richard C. Polley, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For AJAX MAGNETHERMIC CORPORATION, Defendant: William J. Witte, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For AMERON INTERNATIONAL CORPORATION, WHEELING RUBBER PRODUCTS, INC., Defendants: Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For ARMSTRONG INTERNATIONAL, INC., NORTH AMERICAN MANUFACTURING CO., Defendants: Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA; Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For ARMSTRONG PUMPS, INC., Defendant: Adam J. Warhola, LEAD ATTORNEY, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For ATWOOD & MORRILL CO., INC., doing business as WEIR VALVES AND CONTROLS USA INC, Defendant: Daniel E. Krauth, LEAD ATTORNEY, Samantha Quinn, Zimmer Kunz, Pittsburgh, PA.

For AURORA PUMP, BLUE M CORPORATION, LINDBERG, Defendants: [*3] James P. Hadden, LEAD ATTORNEY, Maron Mavel Bfradley & Anderson, P.A., Philadelphia, PA; Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For BAKER HUGHES, a GE Company, LLC, Defendant: Philip P. Keating, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA.

For BEAZER EAST, INC, in its own right and as successor to Koppers Co., Inc., and other related companies, including Thiem Corporation, Beazer USA, Inc., and Beazer, PLC, Defendant: Mark A. Fiorilli, Robert R. Leight, LEAD ATTORNEYS, Spilman Thomas & Battle, PLLC, Pittsburgh, PA.

For BECHTEL CORPORATION, Defendant: Alison R. Viola, LEAD ATTORNEY, Eckert Seamans Cherin & Mellott LLC, Pittsburgh, PA; Daniel J. Sinclair, Dennis R. McEwen, LEAD ATTORNEYS, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For BORGWARNER MORSE TEC LLC, Defendant: Hunter A. McGeary, Jr., LEAD ATTORNEY, McGeary Law Offices, Pittsburgh, PA.

For BRAND INSULATIONS, INC., RUST ENGINEERING & CONSTRUCTION, INC., formerly known as THE RUST ENGINEERING COMPANY, WHEELABRATOR AIR POLLUTION CONTROL, INC., WTI RUST HOLDINGS, INC., Defendants: Michael Magee, LEAD ATTORNEY, Pietragallo, Bosick & Gordon, Pittsburgh, PA.

For BW/IP, [*4] INC., NORTEK GLOBAL HVAC, LLC, as successor by merger to Reznor, LLC (incorrectly named herein; correct naming as follows: Nortek Global HVAC, LLC), Defendants: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA.

For CAMERON INTERNATIONAL CORPORATION, formerly known as COOPER CAMERON CORPORATION, Defendant: Nicholas J. Koch, LEAD ATTORNEY, Frost Brown Todd, Union Trust Building, Pittsburgh, PA.

For CARRIER CORPORATION, FLOWSERVE CORPORATION, formerly known as DURAMETALLIC CORPORATION, FLOWSERVE CORPORATION, formerly known as DURIRON COMPANY, INC., GARDNER DENVER, INC., JOY GLOBAL UNDERGROUND MINING, LLC, formerly known as JOY TECHNOLOGIES, INC., ZURN INDUSTRIES, also known as ERIE CITY IRON WORKS, Defendants: Edward A. Miller, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA; Melissa Devich Cochran, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For CARVER PUMP COMPANY, Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A.

Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, [*5] Gulf Tower Building, Pittsburgh, PA.

For CASHCO INC., Defendant: Danielle M. Vugrinovich, LEAD ATTORNEY, Erin Margolin, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For CBS CORPORATION, f/k/a Viacom, Inc., as Successor by Merger to CBS Corp., a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, Defendant: Eric L. Horne, LEAD ATTORNEY, Daniel J. Sinclair, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For CEMLINE CORPORATION, Defendant: Jason M. English, LEAD ATTORNEY, Margolis Edelstein, The Oliver Building, Pittsburgh, PA; Kyle T. McGee, Richard E. Bliss, LEAD ATTORNEYS, Margolis Edelstein, Pittsburgh, PA; Margolis Edelstein, LEAD ATTORNEY, Pittsburgh, PA.

For CHICAGO BRIDGE & IRON COMPANY, Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For CHICAGO PNEUMATIC TOOL COMPANY, LLC, MORGAN ENGINEERING SYSTEMS, INC., Defendants: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Ryan Anthony Zeli, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For CLARK EQUIPMENT COMPANY, Defendant: Danielle M. Vugrinovich, Erin Margolin, LEAD ATTORNEYS, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For CLARK RELIANCE [*6] CORPORATION, and its division Jerguson Gage and Valve, ELECTROLUX HOME PRODUCTS INC., formerly known as WCI OUTDOOR PRODUCTS, INC., SPIRAX SARCO, INC., Defendants: Max T. Busatto, Vincent Scaglione, Jr., LEAD ATTORNEYS, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For CLEAVER-BROOKS, formerly known as AQUA-CHEM, CLYDE UNION, INC., d/b/a Clyde Union Pumps, individually and as successor-by-merger to Union Pump Company, MUELLER STEAM SPECIALTY, OCEAN VIEW CAPITAL, formerly known as TRIANGLE PWC, INC., Defendants: Leo Gerard Daly, Vincent P. Lamperski, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh, PA.

For COLUMBUS MCKINNON CORP., successor-by-merger to Lift Tech International, Inc., and its Shaw-Box Hoist Division, Defendant: Kevin M. Ward, LEAD

ATTORNEY, Swartz Campbell LLC, Pittsburgh, PA.

For CRANE COMPANY, INC., Defendant: Sarah M. Czynski, LEAD ATTORNEY, K&L Gates, K&L Gates Center, Pittsburgh, PA; Stephen R. Mlinac, LEAD ATTORNEY, Swartz Campbell, LLC, Koppers Building, Pittsburgh, PA.

For DONALD MCKAY SMITH, INC., Defendant: Christopher T. Yoskosky, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For DRAVO CORPORATION, [*7] Defendant: Hilary C. Bonenberger, LEAD ATTORNEY, Swartz Campbell, Pittsburgh, PA; John W. Bruni, LEAD ATTORNEY, Litchfield Cavo, Pittsburgh, PA; Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For DUQUESNE LIGHT COMPANY, Defendant: Cathy R. Gordon, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., Defendant: Erin Margolin, Patrick Reilly, LEAD ATTORNEYS, Danielle M. Vugrinovich, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For ECODYNE HEAT EXCHANGERS, INC., (incorrectly named as "Ecodyne Corp."), MANCHESTER TANK, Division of McWane, Inc., Defendants: Erin Margolin, Patrick Reilly, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For EICHLEAY CORPORATION, Defendant: Daniel E. Krauth, Samantha Quinn, LEAD ATTORNEYS, Zimmer Kunz, Pittsburgh, PA; Mallory P. Gold, LEAD ATTORNEY, Evashavik, DiLucente & Tetlow, LLC, Pittsburgh, PA.

For ELECTRIC BOAT CORPORATION, SIEMENS INDUSTRY, INC., in its own right, and as successor-in-interest to I-T-E Circuit Breaker Company, WATTS REGULATOR CO., Defendants: James B. Insko, LEAD ATTORNEY, Gordon Rees Scully [*8] Mansukhani, LLP, Pittsburgh, PA.

For EVOQUA WATER TECHNOLOGIES, LLC, in its own right and as successor-in-interest to Wallace & Tiernan, Defendant: Adam J. Warhola, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For EXELON CORPORATION, RCH NEW CO., II LLC, f/k/a Robertson Ceco Corporation, an alleged successor to H.H. Robertson Company, Defendants: Jennifer E. Watson, Wilbraham Lawler & Buba, Pittsburgh, PA.

For FIRSTENERGY CORPORATION, Defendant: Lindsey E. Sacher, LEAD ATTORNEY, PRO HAC VICE, Calfee, Halter & Griswold LLP.

For FLOWSERVE US, INC., f/k/a Flowserve FSD Corp., successor to Valtek International, Defendant: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA; Zachary Smith, LEAD ATTORNEY, Goldfein & Joseph, P.C., Philadelphia, PA; Christine M. Crimarki, Goldfein & Joseph PC.

For FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Defendant: Deborah A. Beck, Goldfein & Joseph, P.C., Philadelphia, PA; Christine M. Crimarki, Goldfein & Joseph PC.

For FLSMIDTH DORR-OLIVER, INC., as successor-in-interest to Keller/Dorr-Oliver Boiler Company, Defendant: Joseph [*9] R. Schaper, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For FLSMIDTH, INC., formerly known as FULLER COMPANY, MW CUSTOM PAPERS, LLC, also known as MEAD, WARREN PUMPS, LLC, Defendants: Danielle M. Vugrinovich, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA; Ryan M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For FLUOR CORPORATION, FLUOR ENTERPRISES, INC., FLUOR CONSTRUCTORS INTERNATIONAL, also known as FLUOR CORPORATION, Defendants: Joseph R. Petrina, LEAD ATTORNEY, Zimmer Kunz PLLC, Pittsburgh, PA.

For FOSECO, INC., Defendant: Terry A. Schrock, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy LLC, Pittsburgh, PA.

For FOSTER WHEELER, LLC, GREENE TWEED & COMPANY, INC., Defendants: Dennis F. Wolford, LEAD ATTORNEY, Reed, Tosh, Wolford & Douglass, Beaver, PA; Kathryn L. Johnston, LEAD ATTORNEY, Reed, Luce, Tosh, Wolford & Douglass, Beaver, PA.

For GENERAL ELECTRIC COMPANY, Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA; David Speziali, LEAD ATTORNEY, PRO HAC VICE, Speziali, Greenwald & Hawkins; Erik David Nadolink, LEAD ATTORNEY, PRO HAC VICE, Wheeler [*10] Trigg O'Donnell LLP, Denver, CO; Kate Mercer-Lawson, PRO HAC VICE, Wheeler Trigg O'Donnell, LLP, Denver, CO.

For GOULD ELECTRONICS, INC., formerly known as GD-TEK, INC., THE MARLEY-WYLAIN COMPANY, incorrectly designated as WEIL-McLAIN COMPANY, Defendants: Christopher H. Jones, LEAD ATTORNEY, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For GOULDS PUMPS, LLC, Defendant: Aaron Arthur, LEAD ATTORNEY, Morgan, Lewis & Bockius, LLP, Philadelphia, PA.

For GRINNELL, LLC, Defendant: Aaron Arthur, Morgan, Lewis & Bockius, LLP.

For HAJOCA CORPORATION, POWERMASTER PACIFIC PRODUCTS, also known as PACIFIC PARTS, INC., Defendants: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA; Robert L Hogan, LEAD ATTORNEY, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For HONEYWELL INTERNATIONAL INC., f/k/a Allied Signal, Inc., as successor-in-interest to the Bendix Corporation, IMO INDUSTRIES, INC, formerly known as IMO DELAVAL, INC., formerly known as DEVALCO CORPORATION INC., formerly known as DELAVAL TURBINE, INC., PARKER-HANIFIN CORPORATION, RILEY POWER, INC., formerly known as RILEY STOKER CORPORATION, formerly known [*11] as BABCOCK BORSIG POWER, INC., formerly known as DB RILEY, INC., Defendants: Eric K. Falk, LEAD ATTORNEY, Davies, McFarland & Carroll, Pittsburgh, PA; Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For HONEYWELL, INC., Defendant: Donald H. Smith, LEAD ATTORNEY, LEWIS, BRISBOIS, BISGAARD & SMITH, LLP, Pittsburgh, PA; Eric W. Santos, Mark T. Caloyer, LEAD ATTORNEYS, Lewis Brisbois, Pittsburgh, PA; Trisha R. Hudkins, LEAD ATTORNEY, Lewis Brisbois Bisgaard and Smith LLP, Pittsburgh, PA.

For HOWDEN NORTH AMERICA, INC., formerly known as HOWDEN BUFFALO, INC, Defendant: Anne M. McFadden, LEAD ATTORNEY, Riley Hewitt Witte & Romano, PC, Pittsburgh, PA; Sandra L. Alven, LEAD ATTORNEY, Alba E Arriaga, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For HUNTER SALES CORPORATION, Defendant: Edward A. Smallwood, Kelly L Smith, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh, PA; Steven D. Evans, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For INDUSTRIAL HOLDINGS CORPORATION, formerly known as CARBORUNDUM CORPORATION, VELAN VALVE CORPORATION, Defendants: Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, [*12] PA.

For INGERSOLL-RAND CORPORATION, TRANE U.S. INC., f/k/a American Standard Corporation, f/k/a/ American Radiator & Standard Sanitary, in its own right and as successor to Westinghouse Airbrake and/or WABCO, Defendants: Edward A. Smallwood, Kelly L Smith, Leo Gerard Daly, LEAD ATTORNEYSS, Post & Schell, P.C., Pittsburgh, PA; Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For INSUL COMPANY, INC., Defendant: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For ITT INDUSTRIES, INC., YORK INTERNATIONAL CORPORATION, Defendants: Aaron Arthur, Morgan, Lewis & Bockius, LLP, Philadelphia, PA.

For J-M MANUFACTURING COMPANY, INC., Defendant: Daniel R. Bentz, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, Pittsburgh, PA; John M. Schollaert, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, PC, Pittsburgh, PA; Sarah Boehme, LEAD ATTORNEY, Marks O'Neill O'Brien Doherty & Kelly PC, Pittsburgh, PA.

For JOHN CRANE, INC., Defendant: Edward A. Schenck, LEAD ATTORNEY, Cipriani & Warner, P.C., Pittsburgh, PA.

For JOY GLOBAL SURFACE MINING, INC., formerly known as P&H MINING EQUIPMENT, formerly known as HARNISCHFEGER CORPORATION, AMETEK, INC., Defendants: [*13] David Emil Lamm, Paul K. Vey, LEAD ATTORNEYS, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Pittsburgh, PA.

For M.S. JACOBS & ASSOCIATES, INC., Defendant: Daniel J. Cuddy, LEAD ATTORNEY, Daniel J Cuddy, Attorney at Law, Pittsburgh, PA; Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For MARMON HOLDINGS, INC., Defendant: Erin Margolin, Patrick Reilly, LEAD ATTORNEYS, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For MCCARLS, INC., Defendant: Daniel R. Bentz, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, Pittsburgh, PA; John M. Schollaert, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, PC, Pittsburgh, PA; Jennifer E. Watson, Wilbraham Lawler & Buba, Pittsburgh, PA.

For MET-PRO TECHNOLOGIES, LLC, incorrectly named as Met-Pro Corporation and its Dean Pump brand d/b/a Met-Pro Global Pump Solutions, TUTHILL CORPORATION, Defendants: Edward J. Chiodo, LEAD ATTORNEY, Rawle & Henderson LLP, Henry W. Oliver Bldg., Pittsburgh, PA; John C. McMeekin, II, LEAD ATTORNEY, Rawle & Henderson LLP, Philadelphia, PA.

For METROPOLITAN LIFE INSURANCE COMPANY, formerly known as METROPOLITAN INSURANCE COMPANY, Defendant: Stewart R. Singer, LEAD ATTORNEY, Salmon, [*14] Ricchezza, Singer & Turchi, Philadelphia, PA; Ronald L. Daugherty, Salmon, Ricchezza, Singer & Turchi, LLP, Philadelphia, PA.

For MINE SAFETY APPLIANCE COMPANY, Defendant: Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA; Joseph F. Butcher, LEAD ATTORNEY, Zimmer Kunz P.L.L.C., Pittsburgh, PA.

For MINNOTTE CONTRACTING CORPORATION, Defendant: Christopher T. Yoskosky, LEAD ATTORNEY, Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For MOYNO, INC., Counter Defendant, Defendants: Concetta A. Silvaggio, Ronald J. Richert, LEAD ATTORNEYS, Willman & Silvaggio, Pittsburgh, PA; Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA.

For NAGLE PUMPS, INC., Defendant: Adam J. Warhola, LEAD ATTORNEY, Dickie, McCamey & Chilcote, Pittsburgh, PA; Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For OSRAM SYLVANIA INC., in its own right and as successor-in-interest to GTE Products Corporation, The Clark Controller Company and A.O. Smith Corporation, Defendant: Vincent P. Lamperski, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For READING CRANE AND ENGINEERING COMPANY, [*15] Defendant: Christian W. Wrabley, David F. Ryan, Joni M. Mangino, LEAD ATTORNEYSS, Zimmer Kunz, Pittsburgh, PA.

For RESEARCH-COTTRELL, INC., n/k/a AWT AIR COMPANY, INC., incorrectly identified as Research Cottrell Cooling, Inc., n/k/a AWT Air Company, Inc., Defendant: Joseph L. Orszulak, II, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For REUNION INDUSTRIES, INC., Defendant: Edward A. Smallwood, Joshua M. Brick, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh, PA.

For SCHNEIDER ELECTRIC USA, INC., formerly known as SQUARE D COMPANY, Defendant: Jeffrey N Kinsey, LEAD ATTORNEY, Fox Rothschild LLP, Bny Mellon Center, 500 Grant Street, Sui, Pittsburgh, PA; Michael J. Zukowski, LEAD ATTORNEY, Fox Rothschild LLC, Pittsburgh, PA.

For SPX COOLING TECHNOLOGIES, INC., formerly known as MARLEY COOLING TECHNOLOGIES, INC., formerly known as THE MARLEY COOLING TOWER COMPANY, Defendant: Matthew R. Wimer, LEAD ATTORNEY, Wimer Law Offices, Oakmont, PA.

For STERLING FLUID SYSTEMS (USA), LLC, Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; Matthew [*16] J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; W. Matthew Reber, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, Philadelphia, PA.

For SULZER PUMPS (US), INC., AHLSTROM PUMPS LLC, SULZER PUMPS SOLUTIONS, INC., Defendants: Jenna Christine Hutchinson, Troutman Pepper Hamilton Sanders LLP, New York, NY.

For SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, Defendant: Danielle M. Vugrinovich, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA; Michael A. Karaffa, LEAD ATTORNEY, Union Trust Building, Moon Township, PA; Ryan M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For SURFACE COMBUSTION, INC., Defendant: Patrick R. Malone, LEAD ATTORNEY, LeechTishman Fuscaldo & Lampl, Pittsburgh, PA.

For THE GOODYEAR TIRE & RUBBER COMPANY, Defendant: John C. McMeekin, II, LEAD ATTORNEY, Rawle & Henderson LLP, Philadelphia, PA; Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For THE NASH ENGINEERING COMPANY, Defendant: Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA; Steven D. Evans, Post [*17] & Schell, PC, Pittsburgh, PA.

For THE WILLIAM POWELL COMPANY, Defendant:

Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA; Steven D. Evans, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For UNION CARBIDE CORPORATION, Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; Eric A. Fischer, Katherine A. Lowery, LEAD ATTORNEYS, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; Richard L. Walker, LEAD ATTORNEY, Kelley, Jasons, McGuire & Spinelli, Philadelphia, PA.

For UNION TANK CAR COMPANY, Defendant: Danielle M. Vugrinovich, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For UNITED CONVEYOR CORPORATION, Defendant: Jeanne Welch Sopher, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For UNITED STATES STEEL CORPORATION, Defendant: J. Lawson Johnston, Scott D. Clements, LEAD ATTORNEYS, Dickie, McCamey & Chilcote, P.C., Pittsburgh, PA.

For WASHINGTON GROUP INTERNATIONAL, f/k/a Raytheon Engineers and Constructors, Inc. and all its domestic subsidiaries [*18] including The Badger Company, Inc., n/k/a URS Energy & Construction, Inc., Defendant: Jason M. English, LEAD ATTORNEY, Margolis Edelstein, The Oliver Building, Pittsburgh, PA; Kyle T. McGee, Richard E. Bliss, LEAD ATTORNEYS, Margolis Edelstein, Pittsburgh, PA.

For WATSON MCDANIEL COMPANY, Defendant: Jason M. English, LEAD ATTORNEY, Margolis Edelstein, The Oliver Building, Pittsburgh, PA; Richard E. Bliss, LEAD ATTORNEY, Margolis Edelstein, Pittsburgh, PA.

For YUBA HEAT TRANSFER, LLC, Defendant: Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For THE MARLEY-WYLAIN COMPANY, Incorrectly Designated by Plaintiff as Weil-McLain Company, GOULD ELECTRONICS, INC., Incorrectly designated by Plaintiff as Gould Electronics, Inc., f/k/a GD-TEK, Inc., Defendants: Christopher H. Jones, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For SIEMENS INDUSTRY INC, Defendant: James B. Insko, Gordon Rees Scully Mansukhani, LLP, Pittsburgh, PA.

For WT/HRC CORPORATION, MCNEIL (OHIO) CORPORATION, MCMaster-CARR SUPPLY CO., BROWN BOVERI, INC., Defendants: Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA.

For ALLIED GLOVE CORPORATION, Defendant: Concetta A. Silvaggio, Willman & Silvaggio, [*19] Pittsburgh, PA; Edward O'Connell, Willman & Silvaggio, LLP, Pittsburgh, PA; Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA; Joseph D. Silvaggio, Willman & Arnold, Pittsburgh, PA.

For FIRSTENERGY CORP., Defendant: Tracy S. Johnson, LEAD ATTORNEY, K. James Sullivan, Calfee, Halter & Griswold LLP, Cleveland, OH.

For SCHNEIDER ELECTRIC USA, INC., Cross Claimant: Michael J. Zukowski, LEAD ATTORNEY, Fox Rothschild LLC, Pittsburgh, PA.

For BECHTEL CORPORATION, Cross Claimant: Alison R. Viola, LEAD ATTORNEY, Eckert Seamans Cherin & Mellott LLC, Pittsburgh, PA; Daniel J. Sinclair, Dennis R. McEwen, LEAD ATTORNEYS, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For AMERON INTERNATIONAL CORPORATION, REUNION INDUSTRIES, INC., THE NASH ENGINEERING COMPANY, THE WILLIAM POWELL COMPANY, WHEELING RUBBER PRODUCTS, INC., Cross Defendants: Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For ARMSTRONG INTERNATIONAL, INC., NORTH AMERICAN MANUFACTURING CO., Cross Defendants: Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA; Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For ARMSTRONG PUMPS, INC., Cross Defendant: Adam J. Warhola, [*20] LEAD ATTORNEY, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For ATWOOD & MORRILL CO., INC., Cross Defendant: Daniel E. Krauth, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For AURORA PUMP, BLUE M CORPORATION, LINDBERG, Cross Defendants: James P. Hadden, LEAD ATTORNEY, Maron Mavel Bfradley & Anderson, P.A., Philadelphia, PA; Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For BAKER HUGHES, a GE Company, LLC, Cross Defendant: Philip P. Keating, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA.

For BEAZER EAST, INC, in its own right and as successor to Koppers Co., Inc., and other related companies, including Thiem Corporation, Beazer USA, Inc., and Beazer, PLC, Cross Defendant: Mark A. Fiorilli, Robert R. Leight, LEAD ATTORNEYS, Spilman Thomas & Battle, PLLC, Pittsburgh, PA.

For BECHTEL CORPORATION, Cross Defendant: Alison R. Viola, LEAD ATTORNEY, Eckert Seamans Cherin & Mellott LLC, Pittsburgh, PA; Daniel J. Sinclair, Dennis R. McEwen, LEAD ATTORNEYS, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For BMI REFRACTORY SERVICES, INC., ABB, INC., as successor to Brown Boveri (Individually and as successor-in-interest to ITE IMPERIAL CO f/k/a ITE [*21] CIRCUIT BREAKER COMPANY), ALLIED GLOVE CORPORATION, MCMaster-CARR SUPPLY CO., MCNEIL (OHIO) CORPORATION, MOYNO, INC., POWER PIPING COMPANY, SUNDYNE, LLC, WT/HRC CORPORATION, Cross Defendants: Concetta A. Silvaggio, Ronald J. Richert, LEAD ATTORNEYS, Willman & Silvaggio, Pittsburgh, PA.

For A.O. SMITH CORPORATION, CLEAVER-BROOKS, CLYDE UNION, INC., d/b/a Clyde Union Pumps, individually and as successor-by-merger to Union Pump Company, MUELLER STEAM SPECIALTY, OCEAN VIEW CAPITAL, Cross Defendants: Leo Gerard Daly, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For AECOM ENERGY & CONSTRUCTION, INC., AIR & LIQUID SYSTEMS CORPORATION, successor-by-merger to Buffalo Pumps, Inc., CERTAINTED CORPORATION, I.U. NORTH AMERICA, INC., as successor by merger to The Garp Company, formerly known as The Gage Company, formerly known as Pittsburgh Gage and Supply Company, MILWAUKEE VALVE COMPANY, SAINT-GOBAIN ABRASIVES, INC., VIKING PUMP, INC., Cross Defendants: Jennifer E. Watson, LEAD ATTORNEY, Wilbraham Lawler & Buba, Pittsburgh, PA.

For AJAX MAGNETHERMIC CORPORATION, Cross Defendant: William J. Witte, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For BORGWARNER MORSE TEC [*22] LLC, Cross Defendant: Hunter A. McGeary, Jr., LEAD ATTORNEY, McGeary Law Offices, Pittsburgh, PA.

For BRAND INSULATIONS, INC., WHEELABRATOR AIR POLLUTION CONTROL, INC., WTI RUST HOLDINGS, INC., RUST ENGINEERING & CONSTRUCTION, INC., Cross Defendants: Michael

Magee, LEAD ATTORNEY, Pietragallo, Bosick & Gordon, Pittsburgh, PA.

For BW/IP, INC., NORTEK GLOBAL HVAC, LLC, as successor by merger to Reznor, LLC (incorrectly named herein; correct naming as follows: Nortek Global HVAC, LLC), Cross Defendants: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA.

For CAMERON INTERNATIONAL CORPORATION, Cross Defendant: Nicholas J. Koch, LEAD ATTORNEY, Frost Brown Todd, Union Trust Building, Pittsburgh, PA.

For CARRIER CORPORATION, FLOWSERVE CORPORATION, GARDNER DENVER, INC., JOY GLOBAL UNDERGROUND MINING, LLC, ZURN INDUSTRIES, Cross Defendants: Edward A. Miller, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA; Melissa Devich Cochran, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For CARVER PUMP COMPANY, Cross Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis [*23] Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA.

For CBS CORPORATION, f/k/a Viacom, Inc., as Successor by Merger to CBS Corp., a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, Cross Defendant: Eric L. Horne, LEAD ATTORNEY, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For CEMLINE CORPORATION, Cross Defendant: Kyle T. McGee, Richard E. Bliss, LEAD ATTORNEYS, Margolis Edelstein, Pittsburgh, PA; Margolis Edelstein, LEAD ATTORNEY, Pittsburgh, PA.

For CHICAGO BRIDGE & IRON COMPANY, Cross Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For CHICAGO PNEUMATIC TOOL COMPANY, LLC, MORGAN ENGINEERING SYSTEMS, INC., Cross Defendants: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Ryan Anthony Zeli, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For CLARK RELIANCE CORPORATION, and its division Jerguson Gage and Valve, ELECTROLUX HOME PRODUCTS INC., SPIRAX SARCO, INC., Cross Defendants: Max T. Busatto, Vincent Scaglione, Jr., LEAD ATTORNEYS, Dickie, McCamey & Chilcote,

Pittsburgh, PA.

For COLUMBUS MCKINNON [*24] CORP., successor-by-merger to Lift Tech International, Inc., and its Shaw-Box Hoist Division, Cross Defendant: Kevin M. Ward, LEAD ATTORNEY, Swartz Campbell LLC, Pittsburgh, PA.

For DONALD MCKAY SMITH, INC., Cross Defendant: Christopher T. Yoskosky, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For DRAVO CORPORATION, Cross Defendant: Hilary C. Bonenberger, LEAD ATTORNEY, Swartz Campbell, Pittsburgh, PA; John W. Bruni, LEAD ATTORNEY, Litchfield Cavo, Pittsburgh, PA.

For DUQUESNE LIGHT COMPANY, Cross Defendant: Cathy R. Gordon, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., Cross Defendant: Patrick Reilly, LEAD ATTORNEY, Erin Margolin, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For EICHLEAY CORPORATION, Cross Defendant: Daniel E. Krauth, Samantha Quinn, LEAD ATTORNEYS, Zimmer Kunz, Pittsburgh, PA.

For ELECTRIC BOAT CORPORATION, SIEMENS INDUSTRY, INC., in its own right, and as successor-in-interest to I-T-E Circuit Breaker Company, WATTS REGULATOR CO., Cross Defendants: James B. Insko, LEAD ATTORNEY, Gordon [*25] Rees Scully Mansukhani, LLP, Pittsburgh, PA.

For FIRSTENERGY CORPORATION, Cross Defendant: Lindsey E. Sacher, LEAD ATTORNEY, PRO HAC VICE, Calfee, Halter & Griswold LLP.

For FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, FLOWSERVE US, INC., f/k/a Flowserve FSD Corp., successor to Valtek International, Cross Defendants: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA; Christine M. Crimarki, Goldfein & Joseph PC.

For FLSMIDTH, INC., MW CUSTOM PAPERS, LLC, WARREN PUMPS, LLC, FLSMIDTH, INC., formerly known as FULLER COMPANY, Cross Defendants: Ryan M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For FLUOR CONSTRUCTORS INTERNATIONAL, FLUOR CORPORATION, FLUOR ENTERPRISES, INC., Cross Defendants: Joseph R. Petrina, LEAD ATTORNEY, Zimmer Kunz PLLC, Pittsburgh, PA.

For FOSECO, INC., Cross Defendant: Terry A. Schrock, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy LLC, Pittsburgh, PA.

For FOSTER WHEELER, LLC, GREENE TWEED & COMPANY, INC., Cross Defendants: Dennis F. Wolford, LEAD ATTORNEY, Reed, Tosh, [*26] Wolford & Douglass, Beaver, PA; Kathryn L. Johnston, LEAD ATTORNEY, Reed, Luce, Tosh, Wolford & Douglass, Beaver, PA.

For GENERAL ELECTRIC COMPANY, Cross Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA; David Speziali, LEAD ATTORNEY, PRO HAC VICE, Speziali, Greenwald & Hawkins; Kate Mercer-Lawson, PRO HAC VICE, Wheeler Trigg O'Donnell, LLP, Denver, CO.

For GOULD ELECTRONICS, INC., THE MARLEY-WYLAIN COMPANY, incorrectly designated as WEIL-McLAIN COMPANY, THE MARLEY-WYLAIN COMPANY, Cross Defendants: Christopher H. Jones, LEAD ATTORNEY, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For GOULDS PUMPS, LLC, GRINNELL, LLC, ITT INDUSTRIES, INC., JOHNSON CONTROLS, INC., YORK INTERNATIONAL CORPORATION, Cross Defendants: Aaron Arthur, Morgan, Lewis & Bockius, LLP, Philadelphia, PA.

For HONEYWELL INTERNATIONAL INC., f/k/a Allied Signal, Inc., as successor-in-interest to the Bendix Corporation, IMO INDUSTRIES, INC, PARKER-HANIFIN CORPORATION, RILEY POWER, INC., Cross Defendants: Eric K. Falk, LEAD ATTORNEY, Davies, McFarland & Carroll, Pittsburgh, PA; Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, [*27] PA.

For HONEYWELL, INC., Cross Defendant: Eric W. Santos, LEAD ATTORNEY, Lewis Brisbois, Pittsburgh, PA; Trisha R. Hudkins, LEAD ATTORNEY, Lewis Brisbois Bisgaard and Smith LLP, Pittsburgh, PA.

For HOWDEN NORTH AMERICA, INC., Cross Defendant: Anne M. McFadden, LEAD ATTORNEY, Riley Hewitt Witte & Romano, PC, Pittsburgh, PA; Sandra L. Alven, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For HUNTER SALES CORPORATION, Cross Defendant: Edward A. Smallwood, Kelly L Smith, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh, PA.

For INDUSTRIAL HOLDINGS CORPORATION, VELAN VALVE CORPORATION, Cross Defendants: Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For INGERSOLL-RAND CORPORATION, TRANE U.S. INC., f/k/a American Standard Corporation, f/k/a/ American Radiator & Standard Sanitary, in its own right and as successor to Westinghouse Airbrake and/or WABCO, Cross Defendants: Edward A. Smallwood, Kelly L Smith, Leo Gerard Daly, LEAD ATTORNEYSS, Post & Schell, P.C., Pittsburgh, PA; Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For INSUL COMPANY, INC., MCJUNKIN REDMAN CORPORATION, Cross Defendants: Joni M. Mangino, [*28] LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For J-M MANUFACTURING COMPANY, INC., MCCARLS, INC., Cross Defendants: Daniel R. Bentz, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, Pittsburgh, PA; John M. Schollaert, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, PC, Pittsburgh, PA.

For JOHN CRANE, INC., Cross Defendant: Edward A. Schenck, LEAD ATTORNEY, Cipriani & Warner, P.C., Pittsburgh, PA.

For JOY GLOBAL SURFACE MINING, INC., Cross Defendant: David Emil Lamm, Paul K. Vey, LEAD ATTORNEYS, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Pittsburgh, PA.

For M.S. JACOBS & ASSOCIATES, INC., Cross Defendant: Daniel J. Cuddy, LEAD ATTORNEY, Daniel J Cuddy, Attorney at Law, Pittsburgh, PA; Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For MCJUNKIN REDMAN CORPORATION, DONALD MCKAY SMITH, INC., MORGAN ENGINEERING SYSTEMS, INC., Cross Defendants: Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA.

For MET-PRO TECHNOLOGIES, LLC, incorrectly named as Met-Pro Corporation and its Dean Pump brand d/b/a Met-Pro Global Pump Solutions, TUTHILL CORPORATION, Cross Defendants: Edward J. Chiodo, LEAD ATTORNEY, Rawle & Henderson LLP, Henry W. Oliver Bldg., Pittsburgh, PA; John C. [*29] McMeekin, II, LEAD ATTORNEY, Rawle & Henderson LLP,

Philadelphia, PA.

For METROPOLITAN LIFE INSURANCE COMPANY, Cross Defendant: Stewart R. Singer, LEAD ATTORNEY, Salmon, Ricchezza, Singer & Turchi, Philadelphia, PA.

For MINE SAFETY APPLIANCE COMPANY, Cross Defendant: Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA; Joseph F. Butcher, LEAD ATTORNEY, Zimmer Kunz P.L.L.C., Pittsburgh, PA.

For MINNOTTE CONTRACTING CORPORATION, Cross Defendant: Christopher T. Yoskosky, LEAD ATTORNEY, Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For NAGLE PUMPS, INC., Cross Defendant: Adam J. Warhola, LEAD ATTORNEY, Dickie, McCamey & Chilcote, Pittsburgh, PA; Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For POWERMASTER PACIFIC PRODUCTS, Cross Defendant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For READING CRANE AND ENGINEERING COMPANY, Cross Defendant: Christian W. Wrabley, David F. Ryan, Joni M. Mangino, LEAD ATTORNEYSS, Zimmer Kunz, Pittsburgh, PA.

For RESEARCH-COTTRELL, INC., n/k/a AWT AIR COMPANY, INC., incorrectly [*30] identified as Research Cottrell Cooling, Inc., n/k/a AWT Air Company, Inc., Cross Defendant: Joseph L. Orszulak, II, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For RUST ENGINEERING & CONSTRUCTION, INC., BRAND INSULATIONS, INC., WHEELABRATOR AIR POLLUTION CONTROL, INC., WTI RUST HOLDINGS, INC., Cross Defendants: David James Singley, Dinsmore & Shohl, Pittsburgh, PA.

For SCHNEIDER ELECTRIC USA, INC., Cross Defendant: Michael J. Zukowski, LEAD ATTORNEY, Fox Rothschild LLC, Pittsburgh, PA.

For SPX COOLING TECHNOLOGIES, INC., Cross Defendant: Matthew R. Wimer, LEAD ATTORNEY, Wimer Law Offices, Oakmont, PA.

For STERLING FLUID SYSTEMS (USA), LLC, Cross Defendant: Christopher S. Arnold, LEAD ATTORNEY,

Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; W. Matthew Reber, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, Philadelphia, PA.

For SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, Cross Defendant: Michael A. Karaffa, LEAD ATTORNEY, Union Trust Building, Moon Township, PA; Ryan [*31] M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For SURFACE COMBUSTION, INC., Cross Defendant: Patrick R. Malone, LEAD ATTORNEY, LeechTishman Fuscaldo & Lampl, Pittsburgh, PA.

For THE GOODYEAR TIRE & RUBBER COMPANY, Cross Defendant: John C. McMeekin, II, LEAD ATTORNEY, Rawle & Henderson LLP, Philadelphia, PA; Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For UNION CARBIDE CORPORATION, Cross Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; Eric A. Fischer, Katherine A. Lowery, LEAD ATTORNEYS, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; Richard L. Walker, LEAD ATTORNEY, Kelley, Jasons, McGuire & Spinelli, Philadelphia, PA.

For UNITED CONVEYOR CORPORATION, Cross Defendant: Jeanne Welch Sopher, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For UNITED STATES STEEL CORPORATION, Cross Defendant: J. Lawson Johnston, Scott D. Clements, LEAD ATTORNEYS, Dickie, [*32] McCamey & Chilcote, P.C., Pittsburgh, PA.

For WASHINGTON GROUP INTERNATIONAL, f/k/a Raytheon Engineers and Constructors, Inc. and all its domestic subsidiaries including The Badger Company, Inc., n/k/a URS Energy & Construction, Inc., WATSON MCDANIEL COMPANY, Cross Defendants: Kyle T. McGee, Richard E. Bliss, LEAD ATTORNEYS, Margolis Edelstein, Pittsburgh, PA.

For YUBA HEAT TRANSFER, LLC, Cross Defendant: Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh,

PA.

For CBS CORPORATION, f/k/a Viacom, Inc., as Successor by Merger to CBS Corp., a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, Cross Claimant: Daniel J. Sinclair, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For CBS CORPORATION, f/k/a Viacom, Inc., as Successor by Merger to CBS Corp., a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, Cross Defendant: Daniel J. Sinclair, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For CLYDE UNION, INC., d/b/a Clyde Union Pumps, individually and as successor-by-merger to Union Pump Company, OCEAN VIEW CAPITAL, A.O. SMITH CORPORATION, CLEAVER-BROOKS, OSRAM SYLVANIA INC., in its own right and as successor-in-interest to GTE Products Corporation, The Clark [*33] Controller Company and A.O. Smith Corporation, MUELLER STEAM SPECIALTY, Cross Defendants: Vincent P. Lamperski, Post & Schell, P.C., Pittsburgh, PA.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., Cross Defendant: Erin Margolin, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For EICHLEAY CORPORATION, Cross Defendant: Mallory P. Gold, Evashavik, DiLucente & Tetlow, LLC, Pittsburgh, PA.

For HONEYWELL, INC., Cross Defendant: Donald H. Smith, LEWIS, BRISBOIS, BISGAARD & SMITH, LLP, Pittsburgh, PA.

For THE NASH ENGINEERING COMPANY, HUNTER SALES CORPORATION, THE WILLIAM POWELL COMPANY, Cross Defendants: Steven D. Evans, Post & Schell, PC, Pittsburgh, PA.

For ATWOOD & MORRILL CO., INC., Cross Defendant: Mallory P. Gold, Evashavik, DiLucente & Tetlow, LLC, Pittsburgh, PA; Samantha Quinn, Zimmer Kunz, Pittsburgh, PA.

For FIRSTENERGY CORPORATION, FIRSTENERGY CORP., Cross Defendants: K. James Sullivan, Calfee, Halter & Griswold LLP, Cleveland, OH.

For REUNION INDUSTRIES, INC., Cross Defendant: Joshua M. Brick, Post & Schell, P.C., Pittsburgh, PA.

For UNITED STATES STEEL CORPORATION, Cross Claimant: J. Lawson Johnston, Scott [*34] D. Clements,

LEAD ATTORNEYS, Dickie, McCamey & Chilcote, P.C., Pittsburgh, PA.

For METROPOLITAN LIFE INSURANCE COMPANY, Cross Defendant: Ronald L. Daugherty, Salmon, Ricchezza, Singer & Turchi, LLP, Philadelphia, PA.

For MINE SAFETY APPLIANCE COMPANY, Cross Claimant: Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA; Joseph F. Butcher, LEAD ATTORNEY, Zimmer Kunz P.L.L.C., Pittsburgh, PA.

For A.R. WILFLEY & SONS, INC., Cross Defendant: Kimberly A. Martin-O'Bryan, LEAD ATTORNEY, Dehay & Elliston, LLP, Charleston, WV.

For SPIRAX SARCO, INC., ELECTROLUX HOME PRODUCTS INC., CLARK RELIANCE CORPORATION, and its division Jerguson Gage and Valve, Cross Claimants: Max T. Busatto, Vincent Scaglione, Jr., LEAD ATTORNEYS, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For FIRSTENERGY CORPORATION, Cross Defendant: K. James Sullivan, LEAD ATTORNEY, Calfee, Halter & Griswold LLP, Cleveland, OH.

For LOCKHEED MARTIN CORPORATION, AIRTEK, INC., Cross Defendants: Richard C. Polley, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For CRANE COMPANY, INC., Cross Defendant: Sarah M. Czapinski, K&L Gates, K&L Gates Center, Pittsburgh, PA.

For LOCKHEED MARTIN CORPORATION, AIRTEK, INC., Cross Claimants: [*35] Richard C. Polley, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For FLSMIDTH, INC., MW CUSTOM PAPERS, LLC, SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, CLARK EQUIPMENT COMPANY, WARREN PUMPS, LLC, EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., CASHCO INC., Cross Defendants: Danielle M. Vugrinovich, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For MCNEIL (OHIO) CORPORATION, POWER PIPING COMPANY, WT/HRC CORPORATION, MOYNO, INC., SUNDYNE, LLC, MCMaster-CARR SUPPLY CO., ABB, INC., as successor to Brown Boveri (Individually and as successor-in-interest to ITE IMPERIAL CO f/k/a ITE CIRCUIT BREAKER COMPANY), BMI REFRACTORY SERVICES, INC., ALLIED GLOVE CORPORATION, Cross Defendants: Edward O'Connell,

Willman & Silvaggio, LLP, Pittsburgh, PA.

For NORTH AMERICAN MANUFACTURING CO., ARMSTRONG INTERNATIONAL, INC., Cross Claimants: Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA; Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For MARMON HOLDINGS, INC., MANCHESTER TANK, Division of McWane, Inc., MW CUSTOM PAPERS, LLC, CLARK EQUIPMENT COMPANY, ECODYNE HEAT EXCHANGERS, INC., [*36] (incorrectly named as "Ecodyne Corp."), CASHCO INC., Cross Defendants: Erin Margolin, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For SULZER PUMPS (US), INC., AHLSTROM PUMPS LLC, SULZER PUMPS SOLUTIONS, INC., Cross Defendants: Jenna Christine Hutchinson, Troutman Pepper Hamilton Sanders LLP, New York, NY.

For AURORA PUMP, LINDBERG, BLUE M CORPORATION, Cross Claimants: James P. Hadden, LEAD ATTORNEY, Maron Mavel Bfradley & Anderson, P.A., Philadelphia, PA; Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For BW/IP, INC., FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, FLOWSERVE US, INC., f/k/a Flowserve FSD Corp., successor to Valtek International, NORTEK GLOBAL HVAC, LLC, as successor by merger to Reznor, LLC (incorrectly named herein; correct naming as follows: Nortek Global HVAC, LLC), Cross Defendants: John A. Turlik, LEAD ATTORNEY, PRO HAC VICE, Segal McCambridge Singer & Mahoney, Philadelphia, PA.

For DRAVO CORPORATION, Cross Defendant: John W. Bruni, Litchfield Cavo, Pittsburgh, PA; Michael J. Sechler, Litchfield Cavo LLP, Pittsburgh, [*37] PA.

For YUBA HEAT TRANSFER, LLC, Cross Claimant: Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For FLSMIDTH DORR-OLIVER, INC., as successor-in-interest to Keller/Dorr-Oliver Boiler Company, VELAN VALVE CORPORATION, Cross Defendants: Joseph R. Schaper, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For POWERMASTER PACIFIC PRODUCTS, PARKER-HANIFIN CORPORATION, HONEYWELL

INTERNATIONAL INC., f/k/a Allied Signal, Inc., as successor-in-interest to the Bendix Corporation, IMO INDUSTRIES, INC, HAJOCA CORPORATION, RILEY POWER, INC., THE GOODYEAR TIRE & RUBBER COMPANY, Cross Defendants: Robert L Hogan, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For INDUSTRIAL HOLDINGS CORPORATION, VELAN VALVE CORPORATION, Cross Claimants: Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For NAGLE PUMPS, INC., Cross Claimant: Adam J. Warhola, LEAD ATTORNEY, Dickie, McCamey & Chilcote, Pittsburgh, PA; Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA.

For GENERAL ELECTRIC COMPANY, Cross Claimant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA; David Speziali, LEAD ATTORNEY, PRO [*38] HAC VICE, Speziali, Greenwald & Hawkins; Kate Mercer-Lawson, PRO HAC VICE, Wheeler Trigg O'Donnell, LLP, Denver, CO.

For SPX COOLING TECHNOLOGIES, INC., Cross Defendant: Matthew Wimer, Wimer Law Offices, P.C, Oakmont, PA.

For CHICAGO BRIDGE & IRON COMPANY, Cross Claimant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For A.O. SMITH CORPORATION, MUELLER STEAM SPECIALTY, OSRAM SYLVANIA INC., in its own right and as successor-in-interest to GTE Products Corporation, The Clark Controller Company and A.O. Smith Corporation, Cross Defendants: Vincent P. Lamperski, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For DRAVO CORPORATION, Cross Defendant: Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For EVOQUA WATER TECHNOLOGIES, LLC, in its own right and as successor-in-interest to Wallace & Tiernan, Cross Claimant: Adam J. Warhola, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For EVOQUA WATER TECHNOLOGIES, LLC, in its own right and as successor-in-interest to Wallace & Tiernan, Cross Defendant: Adam J. Warhola, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For CAMERON INTERNATIONAL CORPORATION, Cross Claimant: Nicholas J. Koch, LEAD

ATTORNEY, [*39] Frost Brown Todd, Union Trust Building, Pittsburgh, PA.

For THE MARLEY-WYLAIN COMPANY, incorrectly designated as WEIL-McLAIN COMPANY, Cross Claimant: Christopher H. Jones, LEAD ATTORNEY, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For GOULD ELECTRONICS, INC., Incorrectly designated by Plaintiff as Gould Electronics, Inc., f/k/a GD-TEK, Inc., Cross Claimant: Christopher H. Jones, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For GOULD ELECTRONICS, INC., Incorrectly designated by Plaintiff as Gould Electronics, Inc., f/k/a GD-TEK, Inc., THE MARLEY-WYLAIN COMPANY, Cross Defendants: Christopher H. Jones, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For AMERON INTERNATIONAL CORPORATION, WHEELING RUBBER PRODUCTS, INC., Cross Claimants: Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA.

For CEMLINE CORPORATION, WASHINGTON GROUP INTERNATIONAL, f/k/a Raytheon Engineers and Constructors, Inc. and all its domestic subsidiaries including The Badger Company, Inc., n/k/a URS Energy & Construction, Inc., WATSON MCDANIEL COMPANY, Cross Defendants: Jason M. English, Margolis Edelstein, The Oliver Building, Pittsburgh, PA.

For EXELON [*40] CORPORATION, MCCARLS, INC., RCH NEW CO., II LLC, f/k/a Robertson Ceco Corporation, an alleged successor to H.H. Robertson Company, Cross Defendants: Jennifer E. Watson, Wilbraham Lawler & Buba, Pittsburgh, PA.

For FOSTER WHEELER, LLC, GREENE TWEED & COMPANY, INC., Cross Claimants: Dennis F. Wolford, LEAD ATTORNEY, Reed, Tosh, Wolford & Douglass, Beaver, PA; Kathryn L. Johnston, LEAD ATTORNEY, Reed, Luce, Tosh, Wolford & Douglass, Beaver, PA.

For UNITED CONVEYOR CORPORATION, Cross Claimant: Jeanne Welch Sopher, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For HONEYWELL, INC., Cross Claimant: Eric W. Santos, LEAD ATTORNEY, Lewis Brisbois, Pittsburgh, PA; Trisha R. Hudkins, LEAD ATTORNEY, Lewis Brisbois Bisgaard and Smith LLP, Pittsburgh, PA.

For INGERSOLL-RAND CORPORATION, TRANE U.S. INC., f/k/a American Standard Corporation, f/k/a/ American Radiator & Standard Sanitary, in its own right

and as successor to Westinghouse Airbrake and/or WABCO, Cross Claimants: Edward A. Smallwood, Kelly L Smith, Leo Gerard Daly, LEAD ATTORNEYSS, Post & Schell, P.C., Pittsburgh, PA; Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For SCHNEIDER ELECTRIC USA, INC., Cross Defendant: [*41] Jeffrey N Kinsey, Fox Rothschild LLP, Bny Mellon Center, 500 Grant Street, Sui, Pittsburgh, PA; Tausha Saunders, Fox Rothschild LLP, Pittsburgh, PA.

For HUNTER SALES CORPORATION, Cross Claimant: Edward A. Smallwood, Kelly L Smith, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh, PA; Steven D. Evans, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For HONEYWELL, INC., Cross Defendant: Donald H. Smith, LEAD ATTORNEY, LEWIS, BRISBOIS, BISGAARD & SMITH, LLP, Pittsburgh, PA; Mark T. Caloyer, LEAD ATTORNEY, Lewis Brisbois, Pittsburgh, PA.

For HUNTER SALES CORPORATION, Cross Defendant: Steven D. Evans, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For THE WILLIAM POWELL COMPANY, THE NASH ENGINEERING COMPANY, Cross Claimants: Edward A. Smallwood, LEAD ATTORNEY, Post & Schell, P.C., Pittsburgh, PA; Steven D. Evans, Post & Schell, PC, Pittsburgh, PA.

For DUQUESNE LIGHT COMPANY, Cross Claimant: Cathy R. Gordon, LEAD ATTORNEY, Post & Schell, PC, Pittsburgh, PA.

For DRAVO CORPORATION, Cross Claimant: Hilary C. Bonenberger, LEAD ATTORNEY, Swartz Campbell, Pittsburgh, PA; Michael J. Sechler, Litchfield Cavo LLP, Pittsburgh, PA.

For AMETEK, INC., Cross Defendant: Paul K. Vey, LEAD ATTORNEY, Pietragallo [*42] Gordon Alfano Bosick & Raspanti, LLP, Pittsburgh, PA.

For CLARK EQUIPMENT COMPANY, ECODYNE HEAT EXCHANGERS, INC., (incorrectly named as "Ecodyne Corp."), MANCHESTER TANK, Division of McWane, Inc., Cross Defendants: Patrick Reilly, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For BEAZER EAST, INC, in its own right and as successor to Koppers Co., Inc., and other related companies, including Thiem Corporation, Beazer USA, Inc., and Beazer, PLC, Cross Claimant: Mark A. Fiorilli,

Robert R. Leight, LEAD ATTORNEYS, Spilman Thomas & Battle, PLLC, Pittsburgh, PA.

For JOY GLOBAL UNDERGROUND MINING, LLC, ZURN INDUSTRIES, GARDNER DENVER, INC., FLOWSERVE CORPORATION, CARRIER CORPORATION, Cross Claimants: Edward A. Miller, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA; Melissa Devich Cochran, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For FLSMIDTH DORR-OLIVER, INC., as successor-in-interest to Keller/Dorr-Oliver Boiler Company, VELAN VALVE CORPORATION, Cross Claimants: Joseph R. Schaper, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For BW/IP, INC., NORTEK GLOBAL HVAC, LLC, as successor by merger to Reznor, LLC (incorrectly [*43] named herein; correct naming as follows: Nortek Global HVAC, LLC), Cross Claimants: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA.

For FLOWSERVE US, INC., f/k/a Flowserve FSD Corp., successor to Valtek International, Cross Claimant: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA; Christine M. Crimarki, Goldfein & Joseph PC.

For COLUMBUS MCKINNON CORP., successor-by-merger to Lift Tech International, Inc., and its Shaw-Box Hoist Division, Cross Claimant: Kevin M. Ward, LEAD ATTORNEY, Swartz Campbell LLC, Pittsburgh, PA.

For HOWDEN NORTH AMERICA, INC., Cross Claimant: Alba E Arriaga, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For HOWDEN NORTH AMERICA, INC., Cross Defendant: Alba E Arriaga, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For AHLSTROM PUMPS LLC, SULZER PUMPS (US), INC., SULZER PUMPS SOLUTIONS, INC., Cross Claimants: Jenna Christine Hutchinson, Troutman Pepper Hamilton Sanders LLP, New York, NY.

For ATWOOD & MORRILL CO., INC., EICHLEAY CORPORATION, Cross Defendants: Daniel E. Krauth, Zimmer Kunz, Pittsburgh, PA.

For JOHN CRANE, INC., Cross Defendant: Edward A. Schenck, Cipriani & Warner, [*44] P.C., Pittsburgh, PA.

For THE NASH ENGINEERING COMPANY, REUNION INDUSTRIES, INC., WHEELING RUBBER

PRODUCTS, INC., AMERON INTERNATIONAL CORPORATION, Cross Defendants: Edward A. Smallwood, Post & Schell, P.C., Pittsburgh, PA.

For ZURN INDUSTRIES, GARDNER DENVER, INC., FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Cross Defendants: Melissa Devich Cochran, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For CRANE COMPANY, INC., Cross Defendant: Michael J. Ross, K&L Gates LLP, K&L Gates Center, Pittsburgh, PA.

For OCEAN VIEW CAPITAL, OSRAM SYLVANIA INC., in its own right and as successor-in-interest to GTE Products Corporation, The Clark Controller Company and A.O. Smith Corporation, Cross Defendants: Leo Gerard Daly, Post & Schell, P.C., Pittsburgh, PA.

For WARREN PUMPS, LLC, FLSMIDTH, INC., Cross Claimants: Ryan M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, Cross Claimant: Michael A. Karaffa, LEAD ATTORNEY, Union Trust Building, [*45] Moon Township, PA; Ryan M. Krescanko, LEAD ATTORNEY, Marshall, Dennehey, Warner, Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For GENERAL ELECTRIC COMPANY, Cross Defendant: Kate Mercer-Lawson, Wheeler Trigg O'Donnell, LLP, Denver, CO.

For SULZER PUMPS (US), INC., Cross Defendant: Ralph C. Surman, Jr., LEAD ATTORNEY, Troutman Pepper LLP, Pittsburgh, PA.

For ECODYNE HEAT EXCHANGERS, INC., (incorrectly named as "Ecodyne Corp."), MANCHESTER TANK, Division of McWane, Inc., Cross Claimants: Erin Margolin, Patrick Reilly, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For HUNTER SALES CORPORATION, Cross Defendant: Kelly L Smith, Post & Schell, P.C., Pittsburgh, PA.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., MARMON HOLDINGS, INC., MW CUSTOM PAPERS, LLC, CLARK EQUIPMENT COMPANY, CASHCO INC., Cross Claimants: Erin Margolin, Marshall Dennehey

Warner Coleman & Goggin, Pittsburgh, PA.

For WASHINGTON GROUP INTERNATIONAL, f/k/a Raytheon Engineers and Constructors, Inc. and all its domestic subsidiaries including The Badger Company, Inc., n/k/a URS Energy & Construction, Inc., Cross Claimant: Kyle T. McGee, LEAD ATTORNEY, Margolis [*46] Edelstein, Pittsburgh, PA.

For CHICAGO BRIDGE & IRON COMPANY, Cross Defendant: Bryan S. Neft, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For CHICAGO PNEUMATIC TOOL COMPANY, LLC, Cross Defendant: Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA; Ryan Anthony Zeli, Zimmer Kunz, PLLC, Pittsburgh, PA.

For FLUOR CONSTRUCTORS INTERNATIONAL, FLUOR CORPORATION, Cross Defendants: Joseph R. Petrina, Zimmer Kunz PLLC, Pittsburgh, PA.

For INGERSOLL-RAND CORPORATION, Cross Defendant: Edward A. Smallwood, Post & Schell, P.C., Pittsburgh, PA; Michael J. Sechler, Litchfield Cavo LLP, Pittsburgh, PA.

For GENERAL ELECTRIC COMPANY, Cross Defendant: Erik David Nadolink, LEAD ATTORNEY, PRO HAC VICE, Wheeler Trigg O'Donnell LLP, Denver, CO; Bryan S. Neft, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For MOYNO, INC., MCMaster-CARR SUPPLY CO., SUNDYNE, LLC, Cross Defendants: Ronald J. Richert, Willman & Silvaggio, Pittsburgh, PA.

For RESEARCH-COTTRELL, INC., n/k/a AWT AIR COMPANY, INC., incorrectly identified as Research Cottrell Cooling, Inc., n/k/a AWT Air Company, Inc., Cross Claimant: Joseph L. Orszulak, II, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For AIR & LIQUID SYSTEMS CORPORATION, [*47] successor-by-merger to Buffalo Pumps, Inc., AECOM ENERGY & CONSTRUCTION, INC., VIKING PUMP, INC., SAINT-GOBAIN ABRASIVES, INC., MILWAUKEE VALVE COMPANY, I.U. NORTH AMERICA, INC., as successor by merger to The Garp Company, formerly known as The Gage Company, formerly known as Pittsburgh Gage and Supply Company, CERTAINTED CORPORATION, Cross Claimants: Jennifer E. Watson, LEAD ATTORNEY, Wilbraham Lawler & Buba, Pittsburgh, PA.

For EICHLEAY CORPORATION, Cross Defendant: Mallory P. Gold, LEAD ATTORNEY, Evashavik,

DiLucente & Tetlow, LLC, Pittsburgh, PA.

For EXELON CORPORATION, RCH NEW CO., II LLC, f/k/a Robertson Ceco Corporation, an alleged successor to H.H. Robertson Company, Cross Claimants: Jennifer E. Watson, Wilbraham Lawler & Buba, Pittsburgh, PA.

For MCCARLS, INC., Cross Claimant: Daniel R. Bentz, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, Pittsburgh, PA; John M. Schollaert, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, PC, Pittsburgh, PA; Jennifer E. Watson, Wilbraham Lawler & Buba, Pittsburgh, PA.

For MANCHESTER TANK, Division of McWane, Inc., SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, Cross Defendants: Danielle M. Vugrinovich, **[*48]** LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For JOHN CRANE, INC., Cross Claimant: Edward A. Schenck, LEAD ATTORNEY, Cipriani & Warner, P.C., Pittsburgh, PA.

For MCJUNKIN REDMAN CORPORATION, DONALD MCKAY SMITH, INC., MINNOTTE CONTRACTING CORPORATION, Cross Claimants: Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA.

For M.S. JACOBS & ASSOCIATES, INC., Cross Claimant: Daniel J. Cuddy, LEAD ATTORNEY, Daniel J Cuddy, Attorney at Law, Pittsburgh, PA; Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For INSUL COMPANY, INC., Cross Claimant: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For MORGAN ENGINEERING SYSTEMS, INC., CHICAGO PNEUMATIC TOOL COMPANY, LLC, Cross Claimants: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Ryan Anthony Zeli, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For AJAX MAGNETHERMIC CORPORATION, Cross Claimant: William J. Witte, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For WATTS REGULATOR CO., Cross Claimant: James B. Insko, LEAD ATTORNEY, Gordon Rees Scully Mansukhani, LLP, Pittsburgh, PA.

For SIEMENS INDUSTRY INC, Cross Claimant: James B. Insko, Gordon Rees Scully Mansukhani, **[*49]** LLP, Pittsburgh, PA.

For MARMON HOLDINGS, INC., Cross Defendant: Erin Margolin, Patrick Reilly, LEAD ATTORNEYS, Marshall

Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For SIEMENS INDUSTRY INC, Cross Defendant: James B. Insko, Gordon Rees Scully Mansukhani, LLP, Pittsburgh, PA.

For BMI REFRACTORY SERVICES, INC., POWER PIPING COMPANY, SUNDYNE, LLC, Cross Claimants: Concetta A. Silvaggio, Ronald J. Richert, LEAD ATTORNEYS, Willman & Silvaggio, Pittsburgh, PA.

For MOYNO, INC., Cross Claimant: Ronald J. Richert, Willman & Silvaggio, Pittsburgh, PA.

For WT/HRC CORPORATION, MCNEIL (OHIO) CORPORATION, MCMaster-CARR SUPPLY CO., ALLIED GLOVE CORPORATION, BROWN BOVERI, INC., Cross Claimants: Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA.

For WT/HRC CORPORATION, MCNEIL (OHIO) CORPORATION, MCMaster-CARR SUPPLY CO., ALLIED GLOVE CORPORATION, BROWN BOVERI, INC., MOYNO, INC., Cross Defendants: Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA.

For FLOWSERVE CORPORATION, Cross Defendant: Christine M. Crimarki, LEAD ATTORNEY, Goldfein & Joseph PC, Philadelphia, PA.

For RILEY POWER, INC., IMO INDUSTRIES, INC, PARKER-HANIFIN CORPORATION, HAJOCA CORPORATION, POWERMASTER PACIFIC **[*50]** PRODUCTS, THE GOODYEAR TIRE & RUBBER COMPANY, HONEYWELL INTERNATIONAL INC., f/k/a Allied Signal, Inc., as successor-in-interest to the Bendix Corporation, Cross Claimants: Robert L Hogan, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For FOSECO, INC., Cross Claimant: Terry A. Schrock, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy LLC, Pittsburgh, PA.

For EICHLEAY CORPORATION, Cross Claimant: Daniel E. Krauth, Samantha Quinn, LEAD ATTORNEYS, Zimmer Kunz, Pittsburgh, PA; Mallory P. Gold, Evashavik, DiLucente & Tetlow, LLC, Pittsburgh, PA.

For ATWOOD & MORRILL CO., INC., Cross Claimant: Daniel E. Krauth, LEAD ATTORNEY, Samantha Quinn, Zimmer Kunz, Pittsburgh, PA; Mallory P. Gold, Evashavik, DiLucente & Tetlow, LLC, Pittsburgh, PA.

For J-M MANUFACTURING COMPANY, INC., Cross Claimant: Daniel R. Bentz, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, Pittsburgh, PA; John

M. Schollaert, LEAD ATTORNEY, Marks, O'Neill, O'Brien, Doherty & Kelly, PC, Pittsburgh, PA.

For CARVER PUMP COMPANY, Cross Claimant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A. Lowery, [*51] LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA.

For FLUOR CONSTRUCTORS INTERNATIONAL, FLUOR ENTERPRISES, INC., FLUOR CORPORATION, Cross Claimants: Joseph R. Petrina, LEAD ATTORNEY, Zimmer Kunz PLLC, Pittsburgh, PA.

For RUST ENGINEERING & CONSTRUCTION, INC., WTI RUST HOLDINGS, INC., BRAND INSULATIONS, INC., WHEELABRATOR AIR POLLUTION CONTROL, INC., Cross Claimants: Michael Magee, LEAD ATTORNEY, Pietragallo, Bosick & Gordon, Pittsburgh, PA.

For ALFA LAVAL, INC., Cross Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA.

For FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Cross Defendant: Deborah A. Beck, Goldfein & Joseph, P.C., Philadelphia, PA.

For GENERAL DYNAMICS CORPORATION, Cross Defendant: Erik C. Dimarco, Gordon Rees Scully Mansukhani LLP.

For HAJOCA [*52] CORPORATION, Cross Defendant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA; Robert L Hogan, LEAD ATTORNEY, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For AMETEK, INC., Cross Defendant: David Emil Lamm, LEAD ATTORNEY, Pietragallo Gordon Alfano Bosick & Raspanti, LLP, Pittsburgh, PA.

For FIRSTENERGY CORPORATION, Cross Defendant: Lindsey E. Sacher, LEAD ATTORNEY, Calfee, Halter & Griswold LLP.

For GOULDS PUMPS, LLC, Cross Defendant: Aaron

Arthur, LEAD ATTORNEY, Morgan, Lewis & Bockius, LLP, Philadelphia, PA.

For CRANE COMPANY, INC., Cross Claimant: Sarah M. Czynski, K&L Gates, K&L Gates Center, Pittsburgh, PA.

For ALLIED GLOVE CORPORATION, Cross Defendant: Concetta A. Silvaggio, Willman & Silvaggio, Pittsburgh, PA; Joseph D. Silvaggio, Willman & Arnold, Pittsburgh, PA.

For FLSMIDTH, INC., SUNBEAM PRODUCTS, INC., as success-in-interest to Sunbeam Corporation, CASHCO INC., MW CUSTOM PAPERS, LLC, CLARK EQUIPMENT COMPANY, WARREN PUMPS, LLC, Cross Claimants: Danielle M. Vugrinovich, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For COLUMBUS MCKINNON CORP., successor-by-merger to Lift Tech International, [*53] Inc., and its Shaw-Box Hoist Division, Cross Defendant: Kevin M. Ward, Swartz Campbell LLC, Pittsburgh, PA.

For JOY GLOBAL UNDERGROUND MINING, LLC, Cross Defendant: Edward A. Miller, Steptoe & Johnson PLLC, Canonsburg, PA.

For MINE SAFETY APPLIANCE COMPANY, Cross Defendant: Joseph F. Butcher, Zimmer Kunz P.L.L.C., Pittsburgh, PA.

For MINNOTTE CONTRACTING CORPORATION, DONALD MCKAY SMITH, INC., Cross Claimants: Christopher T. Yoskosky, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For UNITED CONVEYOR CORPORATION, Cross Defendant: Jeanne Welch Sopher, Litchfield Cavo LLP, Pittsburgh, PA.

For A.O. SMITH CORPORATION, OCEAN VIEW CAPITAL, OSRAM SYLVANIA INC., in its own right and as successor-in-interest to GTE Products Corporation, The Clark Controller Company and A.O. Smith Corporation, Cross Claimants: Vincent P. Lamperski, Post & Schell, P.C., Pittsburgh, PA.

For CLEAVER-BROOKS, CLYDE UNION, INC., d/b/a Clyde Union Pumps, individually and as successor-by-merger to Union Pump Company, Cross Claimants: Leo Gerard Daly, LEAD ATTORNEY, Vincent P. Lamperski, Post & Schell, P.C., Pittsburgh, PA.

For MUELLER STEAM SPECIALTY, Cross [*54] Claimant: Leo Gerard Daly, Vincent P. Lamperski, LEAD ATTORNEYS, Post & Schell, P.C., Pittsburgh,

PA.

For BRAND INSULATIONS, INC., RUST ENGINEERING & CONSTRUCTION, INC., WTI RUST HOLDINGS, INC., WHEELABRATOR AIR POLLUTION CONTROL, INC., Cross Claimants: David James Singley, Dinsmore & Shohl, Pittsburgh, PA.

For COLUMBUS MCKINNON CORP., successor-by-merger to Lift Tech International, Inc., and its Shaw-Box Hoist Division, Cross Claimant: Kevin M. Ward, Swartz Campbell LLC, Pittsburgh, PA.

For THE GOODYEAR TIRE & RUBBER COMPANY, Cross Claimant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For THE GOODYEAR TIRE & RUBBER COMPANY, Counter Claimant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For ALFA LAVAL, INC., Counter Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA.

For BEAZER EAST, [*55] INC, in its own right and as successor to Koppers Co., Inc., and other related companies, including Thiem Corporation, Beazer USA, Inc., and Beazer, PLC, Counter Defendant: Mark A. Fiorilli, Robert R. Leight, LEAD ATTORNEYS, Spilman Thomas & Battle, PLLC, Pittsburgh, PA.

For CARVER PUMP COMPANY, Counter Defendant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA.

For DRAVO CORPORATION, Counter Defendant: Hilary C. Bonenberger, LEAD ATTORNEY, Swartz Campbell, Pittsburgh, PA; John W. Bruni, LEAD ATTORNEY, Litchfield Cavo, Pittsburgh, PA; Michael J. Sechler, LEAD ATTORNEY, Litchfield Cavo LLP, Pittsburgh, PA.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., Counter Defendant: Erin Margolin, Patrick Reilly, LEAD

ATTORNEYS, Danielle M. Vugrinovich, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For FLOWSERVE CORPORATION, Counter Defendant: Edward A. Miller, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA; Melissa [*56] Devich Cochran, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Counter Defendant: Deborah A. Beck, Goldfein & Joseph, P.C., Philadelphia, PA; Christine M. Crimarki, Goldfein & Joseph PC.

For HAJOCA CORPORATION, Counter Defendant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA; Robert L Hogan, LEAD ATTORNEY, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For HOWDEN NORTH AMERICA, INC., Counter Defendant: Anne M. McFadden, LEAD ATTORNEY, Riley Hewitt Witte & Romano, PC, Pittsburgh, PA; Sandra L. Alven, LEAD ATTORNEY, Alba E Arriaga, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

For INSUL COMPANY, INC., Counter Defendant: Joni M. Mangino, LEAD ATTORNEY, Zimmer Kunz, Pittsburgh, PA.

For LINDBERG, AURORA PUMP, BLUE M CORPORATION, Counter Defendants: James P. Hadden, LEAD ATTORNEY, Maron Mavel Bfradley & Anderson, P.A., Philadelphia, PA; Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, [*57] PA.

For MCMASTER-CARR SUPPLY CO., Counter Defendant: Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, PA.

For METROPOLITAN LIFE INSURANCE COMPANY, Counter Defendant: Stewart R. Singer, LEAD ATTORNEY, Salmon, Ricchezza, Singer & Turchi, Philadelphia, PA; Ronald L. Daugherty, Salmon, Ricchezza, Singer & Turchi, LLP, Philadelphia, PA.

For MINNOTTE CONTRACTING CORPORATION, Counter Defendant: Christopher T. Yoskosky, LEAD ATTORNEY, Joni M. Mangino, Zimmer Kunz, Pittsburgh, PA; Gregory C Scheuring, LEAD ATTORNEY, Zimmer Kunz, PLLC, Pittsburgh, PA.

For PARKER-HANIFIN CORPORATION, Counter

Defendant: Eric K. Falk, LEAD ATTORNEY, Davies, McFarland & Carroll, Pittsburgh, PA; Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For SULZER PUMPS SOLUTIONS, INC., Counter Defendant: Jenna Christine Hutchinson, Troutman Pepper Hamilton Sanders LLP, New York, NY.

For WTI RUST HOLDINGS, INC., Counter Defendant: Michael Magee, LEAD ATTORNEY, Pietragallo, Bosick & Gordon, Pittsburgh, PA.

For BW/IP, INC., Counter Defendant: John A. Turlik, LEAD ATTORNEY, Segal McCambridge Singer & Mahoney, Philadelphia, PA.

For CHICAGO BRIDGE & IRON COMPANY, Counter [*58] Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA.

For CLARK RELIANCE CORPORATION, and its division Jerguson Gage and Valve, ELECTROLUX HOME PRODUCTS INC., Counter Defendants: Max T. Busatto, Vincent Scaglione, Jr., LEAD ATTORNEYS, Dickie, McCamey & Chilcote, Pittsburgh, PA.

For FLUOR ENTERPRISES, INC., Counter Defendant: Joseph R. Petrina, LEAD ATTORNEY, Zimmer Kunz PLLC, Pittsburgh, PA.

For GENERAL ELECTRIC COMPANY, Counter Defendant: Bryan S. Neft, LEAD ATTORNEY, Spilman Thomas & Battle PLLC, Pittsburgh, PA; David Speziali, LEAD ATTORNEY, PRO HAC VICE, Speziali, Greenwald & Hawkins; Kate Mercer-Lawson, Wheeler Trigg O'Donnell, LLP, Denver, CO.

For POWER PIPING COMPANY, Counter Defendant: Concetta A. Silvaggio, Ronald J. Richert, LEAD ATTORNEYS, Willman & Silvaggio, Pittsburgh, PA.

For UNITED STATES STEEL CORPORATION, Counter Defendant: J. Lawson Johnston, Scott D. Clements, LEAD ATTORNEYS, Dickie, McCamey & Chilcote, P.C., Pittsburgh, PA.

For VELAN VALVE CORPORATION, INDUSTRIAL HOLDINGS CORPORATION, Counter Defendants: Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For WATTS REGULATOR CO., Counter Defendant: [*59] James B. Insko, LEAD ATTORNEY, Gordon Rees Scully Mansukhani, LLP, Pittsburgh, PA.

For AMETEK, INC., Counter Defendant: David Emil Lamm, Paul K. Vey, LEAD ATTORNEYS, Pietragallo

Gordon Alfano Bosick & Raspanti, LLP, Pittsburgh, PA.

For BAKER HUGHES, a GE Company, LLC, Counter Defendant: Philip P. Keating, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA.

For NORTH AMERICAN MANUFACTURING CO., Counter Defendant: Richard C. Polley, LEAD ATTORNEY, Dickie, McCamey & Chilcote, P.C, Pittsburgh, PA; Shannan Noe Cerrone, LEAD ATTORNEY, Pittsburgh, PA.

For HAJOCA CORPORATION, Cross Claimant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA; Robert L Hogan, LEAD ATTORNEY, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For HAJOCA CORPORATION, Counter Claimant: Julie Nord Friedman, LEAD ATTORNEY, Rawle & Henderson, LLP, The Henry W. Oliver Building, Pittsburgh, PA; Robert L Hogan, LEAD ATTORNEY, Rawle & Henderson LLP, The Henry W. Oliver Building, Pittsburgh, PA.

For ALLIED GLOVE CORPORATION, Counter Defendant: Concetta A. Silvaggio, Willman & Silvaggio, Pittsburgh, PA; Glenn A. Huetter, Jr., Willman & Silvaggio LLP, Pittsburgh, [*60] PA; Joseph D. Silvaggio, Willman & Arnold, Pittsburgh, PA.

For TUTHILL CORPORATION, Counter Defendant: Edward J. Chiodo, LEAD ATTORNEY, Rawle & Henderson LLP, Henry W. Oliver Bldg., Pittsburgh, PA; John C. McMeekin, II, LEAD ATTORNEY, Rawle & Henderson LLP, Philadelphia, PA.

For CBS CORPORATION, f/k/a Viacom, Inc., as Successor by Merger to CBS Corp., a Pennsylvania corporation, f/k/a Westinghouse Electric Corporation, Cross Claimant: Eric L. Horne, LEAD ATTORNEY, Eckert, Seamans, Cherin & Mellott, Pittsburgh, PA.

For HONEYWELL, INC., Cross Claimant: Donald H. Smith, LEWIS, BRISBOIS, BISGAARD & SMITH, LLP, Pittsburgh, PA.

For FIRSTENERGY CORP., Cross Claimant: K. James Sullivan, Calfee, Halter & Griswold LLP, Cleveland, OH.

For EATON CORPORATION, as successor-in-interest to Cutler Hammer, Inc., n/k/a Eaton Electrical Inc., Cross Claimant: Erin Margolin, Patrick Reilly, LEAD ATTORNEYS, Marshall Dennehey Warner Coleman & Goggin, Pittsburgh, PA.

For MCMaster-CARR SUPPLY CO., MCNEIL (OHIO)

CORPORATION, MOYNO, INC., POWER PIPING COMPANY, WT/HRC CORPORATION, ALLIED GLOVE CORPORATION, SUNDYNE, LLC, BMI REFRACTORY SERVICES, INC., ABB, INC., as successor to Brown Boveri (Individually and as successor-in-interest [*61] to ITE IMPERIAL CO f/k/a ITE CIRCUIT BREAKER COMPANY), Cross Claimants: Edward O'Connell, Willman & Silvaggio, LLP, Pittsburgh, PA.

For ZURN INDUSTRIES, GARDNER DENVER, INC., FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Counter Claimants: Melissa Devich Cochran, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For FIRSTENERGY CORP., Counter Defendant: K. James Sullivan, Calfee, Halter & Griswold LLP, Cleveland, OH.

For CERTAINTED CORPORATION, Counter Defendant: Jennifer E. Watson, LEAD ATTORNEY, Wilbraham Lawler & Buba, Pittsburgh, PA.

For FLOWSERVE CORPORATION, Counter Claimant: Edward A. Miller, LEAD ATTORNEY, Steptoe & Johnson PLLC, Canonsburg, PA; Melissa Devich Cochran, LEAD ATTORNEY, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For GOULD ELECTRONICS, INC., Incorrectly designated by Plaintiff as Gould Electronics, Inc., f/k/a GD-TEK, Inc., Counter Defendant: Christopher H. Jones, McElroy, Deutsch, Mulvaney & Carpenter, LLP, Philadelphia, PA.

For FLOWSERVE US, INC., solely as successor to Nordstrom Audco Inc., Edward [*62] Valves inc., Nordstrom Valves, Inc., and Rockwell Manufacturing Company, Cross Claimant: Deborah A. Beck, Goldfein & Joseph, P.C., Philadelphia, PA; Melissa Devich Cochran, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For GARDNER DENVER, INC., ZURN INDUSTRIES, Cross Claimants: Melissa Devich Cochran, Marshall Dennehey Warner Coleman & Goggin, Union Trust Building, Pittsburgh, PA.

For UNITED CONVEYOR CORPORATION, Cross Claimant: Jeanne Welch Sopher, Litchfield Cavo LLP, Pittsburgh, PA.

For JOY GLOBAL UNDERGROUND MINING, LLC,

Cross Claimant: Edward A. Miller, Steptoe & Johnson PLLC, Canonsburg, PA.

For FLUOR CORPORATION, FLUOR CONSTRUCTORS INTERNATIONAL, Cross Claimants: Joseph R. Petrina, Zimmer Kunz PLLC, Pittsburgh, PA.

For CRANE COMPANY, INC., Cross Claimant: Michael J. Ross, K&L Gates LLP, K&L Gates Center, Pittsburgh, PA.

For SCHNEIDER ELECTRIC USA, INC., Cross Claimant: Tausha Saunders, Fox Rothschild LLP, Pittsburgh, PA.

For INDUSTRIAL HOLDINGS CORPORATION, Counter Claimant: Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For VELAN VALVE CORPORATION, FLSMIDTH DORR-OLIVER, INC., as successor-in-interest to Keller/Dorr-Oliver [*63] Boiler Company, Counter Claimants: Joseph R. Schaper, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For VELAN VALVE CORPORATION, FLSMIDTH DORR-OLIVER, INC., as successor-in-interest to Keller/Dorr-Oliver Boiler Company, Counter Defendants: Joseph R. Schaper, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For FOSECO, INC., Counter Claimant: Terry A. Schrock, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy LLC, Pittsburgh, PA.

For FOSECO, INC., Counter Defendant: Terry A. Schrock, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy LLC, Pittsburgh, PA.

For AURORA PUMP, BLUE M CORPORATION, LINDBERG, Counter Claimants: James P. Hadden, LEAD ATTORNEY, Maron Mavel Bfradley & Anderson, P.A., Philadelphia, PA; Joseph R. Schaper, LEAD ATTORNEY, Maron Marvel Bradley Anderson & Tardy, Pittsburgh, PA.

For STERLING FLUID SYSTEMS (USA), LLC, Cross Claimant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; Katherine A. Lowery, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; W. Matthew Reber, LEAD ATTORNEY, Kelley Jasons McGowan Spinelli Hanna & Reber, [*64] Philadelphia, PA.

For UNION CARBIDE CORPORATION, Cross

Claimant: Christopher S. Arnold, LEAD ATTORNEY, Pittsburgh, PA; Eric A. Fischer, Katherine A. Lowery, LEAD ATTORNEYS, Kelley Jasons McGowan Spinelli Hanna & Reber, LLP, Gulf Tower Building, Pittsburgh, PA; James Murray Leety, LEAD ATTORNEY, Lewis Brisbois Bisgaard & Smith, Pittsburgh, PA; Matthew J. Doz, LEAD ATTORNEY, Swartz Campbell, LLC, Pittsburgh, PA; Richard L. Walker, LEAD ATTORNEY, Kelley, Jasons, McGuire & Spinelli, Philadelphia, PA.

For HOWDEN NORTH AMERICA, INC., Cross Claimant: Anne M. McFadden, LEAD ATTORNEY, Riley Hewitt Witte & Romano, PC, Pittsburgh, PA; Sandra L. Alven, LEAD ATTORNEY, Riley, Hewitt, Witte & Romano, P.C., Pittsburgh, PA.

Judges: Hon. WILLIAM S. STICKMAN IV, UNITED STATES DISTRICT JUDGE.

Opinion by: WILLIAM S. STICKMAN IV

Opinion

MEMORANDUM OPINION

WILLIAM S. STICKMAN IV, United States District Judge

Plaintiff Allisa D. Gay ("Plaintiff") sued Defendant Viking Pump, Inc. ("Defendant") and various manufacturers and distributors on October 8, 2019 in the Court of Common Pleas of Allegheny County, Pennsylvania and alleged that Decedent Carl E. Gay ("Decedent") developed mesothelioma from exposure to Defendant's **asbestos**-containing products. [*65] On October 11, 2019, Defendant General Electric Co. filed a Notice of Removal to the United States District Court for the Western District of Pennsylvania under [28 U.S.C. § 1446](#). Before the Court is Viking Pump's Motion for Summary Judgment. (ECF No. 917). The Court must determine whether Plaintiff has properly identified Viking Pump's product as a cause of Mr. Gay's disease and, ultimately, death. For the following reasons, Viking Pump's Motion is granted.

I. Background

This case involves an alleged **asbestos**-related injury because of Mr. Gay's employment in the United States Navy from 1946 to 1958, the United States Air Force from 1958 to 1967, General Electric Co. from 1967 to 1974, Stone and Webster from 1974 to 1989 and from

his automotive work starting in the 1940s. (See ECF Nos. 1-1; 1-2). Mr. Gay was diagnosed with mesothelioma in June 2019. (ECF No. 1-15, ¶ 165; ECF No. 675).

Mr. Gay was deposed over nine days—November 5-7, 11-13, 21-22, 25, 2019—and identified various manufacturers, suppliers and users of **asbestos** products. Mr. Gay died on April 12, 2020. (ECF No. 1-15, ¶ 65; ECF No. 675). His daughter, Allisa D. Gay, was named executor of her father's estate and filed an Amended Complaint on [*66] August 13, 2020. (ECF No. 692). Allisa Gay was substituted as Plaintiff. (*Id.*).

II. Relevant Facts

Plaintiff alleges that Mr. Gay developed mesothelioma from exposure to Defendant's **asbestos**-containing products while serving aboard the USS Blower and USS Blackfin and while working at the SM-1 facility in Ft. Belvoir, Virginia. Plaintiff believes Mr. Gay was exposed to **asbestos** products used with Viking pumps.

While serving as an engineman in the U.S. Navy, Mr. Gay worked with various pieces of equipment including engines, pumps, valves, fans, blowers, steam traps and pipe systems. (ECF No. 939-1, ¶ 13). He worked closely with others who also worked on this equipment. (*Id.*). Mr. Gay handled and installed gaskets and packing. (*Id.*). At times, he would need to cut the gaskets to fit the application. (*Id.*). Other times, Mr. Gay would work with precut materials. (*Id.*). Mr. Gay testified that he had a general recollection of Viking pumps and being around others who also worked on those pumps. (ECF No. 918-1, p. 14-15).

Defendant acknowledges that it sold Viking Pumps to the U.S. Navy according to government contracts. (ECF No. 918, p. 2). Viking documents and drawings show that the U.S. Navy [*67] approved Viking Pumps for the USS Blower, USS Blackfin and SM-1 facility. (ECF No. 918-2).

Between 1946 and 1947, Mr. Gay served as an engineman aboard the USS Blower. (ECF No. 939-1, ¶ 5). The engine room contained various pieces of equipment including pumps, valves, air handlers, a distiller, motors, blowers, heat exchangers, generators, engines, insulation, water purification systems and electrical control panels. (*Id.*). He worked on some of this equipment and was near others who also worked on the engine room's equipment. (*Id.*). Mr. Gay recalled that a Viking pump was present aboard the USS Blower

but could not specify where it was located or what its function was. (ECF No. 918-1, p. 21). He did not recall the pump being removed from the line or breaking down during his service. (*Id.* at 22-24). He did not remember others working on the pump. (*Id.* at 23-24).

From 1950 to 1953, Mr. Gay served as an engineman aboard the USS Blackfin. (ECF No. 939-1, ¶ 7). The USS Blackfin had equipment like that of the USS Blower. (*Id.*). He worked on some of this equipment and was near others who also worked on the equipment. (*Id.*). In 1950, Mr. Gay was present at Mare Island during the recommissioning [*68] of the USS Blackfin and observed shipyard workers performing maintenance and rebuilding the ship. (ECF No. 918-1, p. 9-12). Later, Mr. Gay served aboard the ship while it was out to sea. Mr. Gay performed little to no maintenance while the submarine was out to sea. (*Id.* at 15). He, again, recalled Viking but could not recall where or how it was used aboard the USS Blackfin. (*Id.* at 24-26).

Mr. Gay left the U.S. Navy and spent nine years serving in the U.S. Air Force. The U.S. Air Force assigned Mr. Gay to the SM-1 facility in Ft. Belvoir, Virginia from 1958 until 1961 and then again in 1964 until 1967. (ECF No. 918-1, p. 17). Between 1958 and 1961 Mr. Gay worked on pumps by packing and taking them apart. (*Id.* at 19). He recalled a single, small horizontal Viking pump used to pump water. (*Id.* at 26). He did not recall other workers removing the Viking pump from its line. (ECF No. 939-5, p. 4). He guessed that each pump would have been overhauled at some point, but he also testified that this work did not occur often. (*Id.*). He did not believe that Viking manufactured the gaskets or packing. (*Id.*).

III. Standard of Review

Summary judgment is warranted if the Court is satisfied that there [*69] is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. *Celotex Corp. v. Cattrett*, 477 U.S. 317, 322 (1986). A fact is material if it must be decided to resolve the substantive claim or defense to which the motion is directed. In other words, there is a genuine dispute of material fact "if the evidence is such that a reasonable jury could return a verdict for the nonmoving party." *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986). The Court must view the evidence presented in the light most favorable to the nonmoving party. *Id.* at 255. It refrains from making credibility determinations or weighing evidence. *Id.* "Real

questions about credibility, gaps in the evidence, and doubts as to the sufficiency of the movant's proof' will defeat a motion for summary judgment. *El v. Se. Pa. Transp. Auth.*, 479 F.3d 232, 238 (3d Cir. 2007).

IV. Applicable Law

A. Pennsylvania Law Apply

The parties agree that Pennsylvania substantive law applies although some of the alleged exposures occurred on a U.S. Navy submarine. Under traditional admiralty choice of law rules, a court may apply state law if it does not conflict with federal admiralty law. See *Calhoun v. Yamaha Motor Corp., U.S.A.*, 40 F.3d 622 (3d Cir. 1994); see also *Floyd v. Lykes Bros. S.S. Co.*, 844 F.2d 1044, 1046-47 (3d Cir. 1988) (courts may substitute state law with maritime law when maritime law is silent or a local matter is at issue, but a court may not apply state law where [*70] it would conflict with maritime law); *Centennial Ins. Co. v. Lithotech Sales, LLC*, 29 F. App'x. 835, 836 (3d Cir. 2002) (maritime law displaces only inconsistent state law). For these reasons, the Court will apply Pennsylvania law. See *Erie R.R. Co. v. Tompkins*, 304 U.S. 64 (1938); see also *Guar. Trust Co. v. York*, 326 U.S. 99, 108 (1945).

B. Causation Standard

Before imposing liability on a defendant in a product liability action, Pennsylvania law requires a plaintiff to show not only that the plaintiff was exposed to a defective product manufactured or sold by the defendant but that the plaintiff's exposure was a substantial factor in causing the plaintiff's injury. *Richards v. Raymark Indus. Inc.*, 660 F. Supp. 599 (E.D. Pa. 1987); *Gregg v. V-J Auto Parts Co.*, 943 A.2d 216, 224-26 (Pa. 2007); accord *Robertson v. Allied Signal Inc.*, 914 F.2d 360, 375 (3d Cir. 1990) (applying Pennsylvania law). The Pennsylvania Supreme Court held in *asbestos* litigation that "it is appropriate for courts, at the summary judgment stage, to make a reasoned assessment concerning whether, in the light of the evidence concerning frequency, regularity, and proximity of a plaintiff's/decendent's asserted exposure, a jury would be entitled to make the necessary inference of a sufficient causal connection between defendant's product and the asserted injury." *Gregg*, 943 A.2d at 226-27 (adopting the frequency, regularity and proximity standard in *asbestos* cases). As a result, a plaintiff

must prove he was exposed to **asbestos** from a defendant's product with sufficient frequency, regularity and proximity [*71] so that a jury could make the necessary inference of an adequate causal connection between that product and the asserted injury. *Id.* at 227.

As for proximity, a plaintiff cannot merely show that the product was present at the plaintiffs workplace; he must present evidence to establish that the plaintiff inhaled **asbestos** fibers of the specific product of a manufacturer. *Kardos v. Armstrong Pumps, Inc.*, 222 A.3d 393, 399 (Pa. Super. 2019); *Gutteridge v. A.P. Green Services, Inc.*, 804 A.2d 643, 652 (Pa. Super. 2002), appeal denied, 829 A.2d 1158 (2003).

V. ANALYSIS

Defendant moves for summary judgment because it is not liable for injuries caused by **asbestos** products for two reasons. First, Plaintiff failed to produce sufficient evidence to satisfy her burden of showing that Mr. Gay was exposed to **asbestos** fibers of any product manufactured, distributed or supplied by Viking Pump. Second, Plaintiff failed to produce sufficient evidence to satisfy her burden of showing that Mr. Gay was exposed to **asbestos** fibers of any product manufactured, distributed or supplied by Viking Pump on a regular, frequent or proximate basis.

"At the heart of an **asbestos** case is at least product identification—that is, a plaintiff cannot triumph against a manufacturer unless he shows that the victim came across the manufacturer's product and that the product caused his injury." *Mehnert v. Agilent Techs., Inc.*, No. CV 18-893, 2020 WL 1493542 (W.D. Pa. Mar. 27, 2020) (quoting [*72] *Walker v. Blackmer Pump Co.*, 367 F. Supp. 3d 360, 372 (E.D. Pa. 2019)). Such an inquiry is "fact-intensive." *Id.*

For Plaintiff to defeat Defendant's Motion for Summary Judgment, Plaintiff must show not only that Mr. Gay was exposed to **asbestos**-containing products with sufficient proximity, regularity and frequency to cause his injuries but also that the **asbestos** products to which Plaintiff claims exposure were manufactured, distributed or sold by Defendant. *Eckenrod*, 544 A.2d at 53; see also *Wilson v. A.P. Green Indus.*, 807 A.2d 922, 924 (Pa. Super. 2002) ("Ideally, a plaintiff or a witness will be able to directly testify that plaintiff breathed in **asbestos** fibers and that those fibers came from defendant's product."). The Court has a "duty to prevent questions from going to the jury which would require it to reach a

verdict based on conjecture, surmise, guess or speculation." *Krauss v. Trane*, 104 A.3d 556, 568 (Pa. Super. 2014) (citation omitted).

The record establishes that Viking Pumps may have supplied some **asbestos**-containing products to three locations where Mr. Gay worked during his career: the USS Blower, the USS Blackfin and the SM-1 facility. (ECF No. 970, p. 6). Viking Pumps argues that Plaintiff has not proffered evidence that any of these pumps were used, that they incorporated **asbestos**-containing components or that Mr. Gay was near any work performed on the pumps that would [*73] have created respirable dust regularly or often. (ECF No. 918, pp. 6-7).

A. The Court Grants Defendant's Summary Judgment Regarding Mr. Gay's Exposure at the SM-1 Facility.

Defendant argues that Mr. Gay's recollection of Viking Pumps at Ft. Belvoir was vague. He believed that a Viking pump was at the SM-1 but did not testify that any work was performed on the pump. Mr. Gay assumed that the pumps would have been overhauled during his tenure at the SM-1 facility but did not describe a specific instance. (ECF No. 939-5, p. 4). Simply establishing that a defendant's product was merely present at a plaintiffs place of work is insufficient. *Lindstrom v. A-C Prod. Liability Trust*, 424 F.3d 488, 492 (6th Cir. 2005) (quoting *Stark v. Armstrong World Indus., Inc.*, 21 F. App'x 371, 376 (6th Cir. 2001)) (internal citation omitted). Plaintiff must prove Mr. Gay's injuries were caused by an **asbestos**-containing product from a specific manufacturer or supplier. *Eckenrod*, 544 A.2d at 52. Plaintiff did not provide evidence that a Viking pump was installed or maintained at the SM-1 facility while Mr. Gay worked there. Plaintiff did not testify about how long Mr. Gay was near a Viking pump.

The Court finds Plaintiff has not offered enough evidence to show that Mr. Gay was exposed to **asbestos** from a Viking pump at the SM-1 facility. Mr. Gay did not testify to working on the [*74] pump and could not recall a specific instance of others working on the pump. Plaintiff needed to provide evidence that **asbestos** from the product was somehow disturbed and that Mr. Gay inhaled **asbestos** from that product. *Wilson*, 807 A.2d at 924. For these reasons, the Court grants summary judgment for all alleged exposures at the SM-1 facility in Ft. Belvoir, Virginia.

B. The Court Grants Defendant's Summary Judgment Regarding Mr. Gay's Exposure Aboard the USS Blower and USS Blackfan.

Plaintiff argues that Mr. Gay was exposed to asbestos from Viking pumps aboard the USS Blower and USS Blackfan. Viking Pumps claims that even if its pumps were installed on both submarines, Plaintiff has not presented evidence that the Viking pumps were ever disturbed. (ECF No. 918, p. 7). It also argues that the fact that the Navy may have bought some asbestos-containing products from Viking Pumps is not enough to prove that Mr. Gay was exposed to these products. (*Id.* at 6-7).

Viking Pumps argues Plaintiffs record asks the factfinder to make several assumptions. (ECF No. 918, p. 9). First, the factfinder must assume that Viking Pumps were aboard the USS Blower and USS Blackfan. (*Id.*) Second, the factfinder must assume the materials [*75] used by Mr. Gay and others contained asbestos. (*Id.*) Viking Pump recognizes that although pumps on the submarines may have been made or supplied by Viking Pump, the record does not show that those pumps were present while Mr. Gay served aboard these submarines. Mr. Gay recalled Viking pumps but did not have recall working on them or others working on them. (*Id.* at 7).

Plaintiff counters by highlighting that the work aboard the submarines took place in close quarters with the equipment at issue and with other workers who performed maintenance. (ECF No. 939, p. 13). Plaintiff also argues that it was highly likely that Mr. Gay worked on Viking Pumps equipment or that he was near others when they worked on the pump. (ECF No. 939, p. 13). Plaintiff presented the expert report of Arnold Moore, PE and Moore's reliance on Naval Archives to place Viking pumps aboard the USS Blower and USS Blackfan. (*Id.* at 10-12). Plaintiff argues that those records show that the pumps also contained asbestos. Defendant disagrees with these conclusions and highlights that Mr. Gay did not recall working with a Viking pump and did not recall others working with a Viking pump. Defendant does not dispute that it [*76] sold some pumps to the U.S. Navy in the 1940s and 1950s. (ECF No. 970, p. 8). Ultimately, Defendant argues, Mr. Gay recalled only that Viking pumps were aboard the ships but did not know specifically where the pumps were located and could not recall the pump ever being removed from the line or breaking down at any time. He admitted that he had no reason to believe that he was exposed to an asbestos-

containing gasket associated with a Viking pump. (ECF No. 970-1, p. 3-4, 6)

A "[t]otal failure to show that the defect caused or contributed to the accident will foreclose as a matter of law a finding of strict products liability." *Stark, 21 F. App'x at 376* (citations omitted). A plaintiff in an asbestos products liability case must show not only that a defendant's product was present in the workplace but also that the plaintiff worked with or around the product's use. *Krauss, 104 A.3d at 563 (Pa. Super. 2014)* (citing *Eckenrod, 544 A.2d at 52*).

After reviewing the motions and exhibits and considering the evidence in the light most favorable to Plaintiff, the Court finds that the evidence submitted does not raise a genuine issue of material fact as to causation for Mr. Gay's exposure to Viking Pump products aboard any of the ships on which he served. Mr. Gay provided generic recollections [*77] and was unable to speak specifically about any Viking Pumps. The evidence does not firmly place a Viking Pump product near Mr. Gay. Nor does the record establish that those products contained asbestos.

The Court finds the evidence insufficient to establish that Mr. Gay was exposed to asbestos from Viking Pump. Thus, the Court holds no genuine issue of material exists from the record presented. For these reasons, Defendant's Motion for Summary Judgment is granted.

VI. Conclusion

The Court finds no genuine issue of material fact exists. Defendant's Motion for Summary Judgment is granted. Orders of Court will follow.

BY THE COURT:

/s/ William S. Stickman IV

WILLIAM S. STICKMAN IV

UNITED STATES DISTRICT JUDGE

6/17/21

Dated

ORDER OF COURT

AND NOW, this 17 day of June 2021, IT IS HEREBY

ORDERED for the reasons set forth in the Memorandum Opinion filed this day, Defendant Viking Pump Inc.'s Motion for Summary Judgment (ECF No. 917) is GRANTED. All counts against Defendant are hereby DISMISSED with prejudice.

BY THE COURT:

/s/ William S. Stickman IV

WILLIAM S. STICKMAN IV

UNITED STATES DISTRICT JUDGE

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