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PURSUANT TO Pa.R.C.P. 236(b)

FEB 13 2009

	FIRST JUDICIAL DISTRICT OF PA	
	USER I.D.: _____	
IN RE	:	COURT OF COMMON PLEAS
	:	PHILADELPHIA COUNTY
ASBESTOS LITIGATION	:	OCTOBER TERM, 1986
	:	NO. 0001

DOCKETED
COMPLEX LIT CENTER
FEB 13 2009
J. STEWART

**STIPULATION REGARDING ALTER EGO AND SUCCESSOR LIABILITY CLAIMS
AGAINST DEFENDANTS DAVID W. MOSER AND DFT INC.**

It is hereby STIPULATED and AGREED by and between the undersigned counsel for Plaintiffs and counsel for Defendants David W. Moser ("Moser") and DFT Inc. ("DFT") that:

1. This Stipulation pertains to In Re Asbestos Litigation, Phila. CCP, October Term 1986, No. 0001, including any and all suits filed by Shein Law Center, Ltd. on behalf of individual asbestos plaintiffs where the defendants include Moser and/or DFT.
2. Discovery on all alter ego and successor liability claims against Moser and DFT will close on June 1, 2009.
3. Moser and DFT will serve upon counsel for Plaintiffs, by December 1, 2008, their responses to Plaintiffs' Interrogatories and Requests for Production of Documents.
4. Moser will make himself available to plaintiffs' counsel to provide a sworn statement under oath before a court reporter on all alter ego and successor liability claims asserted against Moser and DFT.
5. Moser and DFT may file Motions for Summary Judgment as to the alter ego and successor liability claims by June 15, 2009.

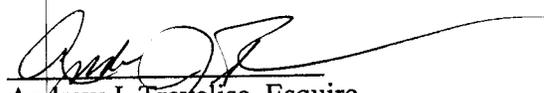
Asbestos Litigation Phila Ccp Vs. A.C.&S. I-ORDER



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6. The alter ego and successor liability claims against Moser and DFT in all cases set for trial in 2009 in which they are defendants are hereby severed from the underlying personal injury claims against the other defendants in those cases. If the underlying cases proceed to trial and there is a finding against Durabla Manufacturing Company ("DMC") as to liability and damages, then Moser and DFT agree not to raise in any trial of the severed claims any defense premised on the fact they were not present at the trial of the underlying cases. Moser and DFT do not waive and will have the right to raise any issue on post trial motion or appeal that DMC could have raised by way of post trial motion or appeal in the underlying cases. In the event the alter ego and successor liability claims against Moser and DFT proceed to trial, the parties agree that it will be a nonjury trial.

7. The parties respectfully request that the Court endorse this Stipulation.



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Dated: January 8, 2009



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Dated: January 8, 2009

IT IS SO ORDERED:

DATED: 10/12, 2009

BY THE COURT:



BY AGREEMENT