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5 Attorneys for Plaintiffs
6
7

ENDORSED
FILED
ALAMEDA COUNTY
2000 DEC 19 PM 12:29
CLERK OF THE SUPERIOR COURT
S F DONOHY L. LEE, DEPUTY

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF ALAMEDA
10

11 ERIC WESTON,

12 Plaintiff,

13 vs.

14 ASBESTOS CORPORATION LIMITED;
15 CALAVERAS ASBESTOS; CERTAINTTEED
CORPORATION; CHANNEL LUMBER
16 CO.; CYPRUS AMAX MINERALS
COMPANY, individually and successor in
17 interest, parent, alter ego and equitable trustee
of CYPRUS MINES CORPORATION,
18 SIERRA TALC & CHEMICAL COMPANY,
UNITED SIERRA DIVISION, CYPRUS
19 MINES CORPORATION and PAUL W.
WOOD COMPANY; DAP, INC.; FRANCIS
20 COLLINS, individually, and doing business as
DREAM BUILDERS; CATHERINE
21 COLLINS, individually and doing business as
DREAM BUILDERS; GEORGIA-PACIFIC
22 CORPORATION; HENRY COMPANY;
INDUSTRIAL & FOUNDRY SUPPLY
23 COMPANY, INC. OF CALIFORNIA;
KAISER GYPSUM COMPANY, INC.;
24 MODERN PLASTICS, INC., individually and
as successor in interest, parent, alter ego and
equitable trustee of INDUSTRIAL &
25 FOUNDRY SUPPLY COMPANY, INC. OF
CALIFORNIA; N L INDUSTRIES, INC.;
26 PHILIPS NORTH AMERICA; QUINTEC
INDUSTRIES, INC.; R.T. VANDERBILT
27 COMPANY, INC., individually and as
successor interest, parent, alter ego and
28 equitable trustee of INTERNATIONAL TALC

No. *RC* 08 - 426405

COMPLAINT FOR PERSONAL
INJURIES; STRICT LIABILITY;
BREACH OF WARRANTIES;
NEGLIGENCE; FRAUD; AIDING AND
ABETTING FRAUD; AIDING AND
ABETTING BATTERY; CONSPIRACY;
(ALTERNATIVE ENTERPRISE AND
CONCERT OF ACTION LIABILITY)

Code of Civil Procedure § 36(d)

KAZAN, McCLAIN,
ABRAMS, LYONS,
GREENWOOD &
HARLEY
A PROFESSIONAL
LAW CORPORATION
171 TWELFTH STREET
THIRD FLOOR
OAKLAND, CA 94607
(510) 302-1000
(510) 465-7728
FAX (510) 835-4913

COMPLAINT FOR PERSONAL INJURIES

EXHIBIT 12

1 COMPANY, INC.; THE REGENTS OF THE
2 UNIVERSITY OF CALIFORNIA; RICH-
3 REX, INC.; SPECIAL ELECTRIC
4 COMPANY; ST. LAWRENCE
5 LIQUIDATING CORPORATION, trustee for
6 INTERNATIONAL TALC COMPANY,
7 INC.; TH AGRICULTURE & NUTRITION
8 LLC; TRUITT & WHITE LUMBER
9 COMPANY; UNION CARBIDE
10 CORPORATION; THE W.W. HENRY
11 COMPANY, L.P.; METROPOLITAN LIFE
12 INSURANCE COMPANY; FIRST DOE
13 THROUGH THREE HUNDREDTH,
14 inclusive,

15 Defendants.

16 Plaintiff ERIC WESTON alleges:

17 **FIRST CAUSE OF ACTION**

18 **Negligence**
19 **[Against All Product Defendants]**

20 **I.**

21 Plaintiff Eric Weston, for and on behalf of himself, brings this action on his own behalf.

22 The masculine form as used in this complaint, if applicable as shown by the context hereof, applies
23 to a female person or a corporation.

24 **II.**

25 Plaintiff does not know the true names and capacities, whether corporate, associate or
26 individual of defendants sued herein as FIRST DOE through THREE HUNDREDTH DOE,
27 inclusive, and each of them, and for that reason prays leave to insert the true names and capacities
28 of said defendants when the same are ascertained. Plaintiff is informed and believes and therefore
alleges that each of the defendants designated herein as a DOE is negligently, intentionally and/or
strictly liable or responsible in some manner for the events and happenings herein referred to, and
proximately caused injury and damages to plaintiff thereby as herein alleged.

III.

At all times herein mentioned, each of the defendants was the agent and employee of each

KAZAN, McCLAIN,
ABRAMS, LYONS,
GREENWOOD &
HARLEY
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SEP 17 2007

JOHN A. CLARKE, CLERK
BY EDUARDO CHANES, DEPUTY

1 Law Offices of
2 John C. Heubeck
3 ATTORNEY AT LAW

4 JOHN C. HEUBECK, ESQ. (SB#141080)
5 MARC A. LOWE, ESQ. (SB#222360)
6 400 Continental Boulevard, 6th Floor
7 El Segundo, CA 90245
8 Tel: (310) 426-2478 Fax: (310) 426-2479

9 Attorneys for Plaintiffs

assigned to Judge: *D. 47*
AURELIO MUNOZ

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 BC377623

13 CAROL SCHNEIDER, DONNA PAAR,
14 TERRI SCHNEIDER, KIM PETERSON and
15 DONALD SCHNEIDER, JR.,

CASE NO:

COMPLEX ASBESTOS LITIGATION
- SUBJECT TO THE GENERAL
ORDERS CONTAINED IN FILE NO:
C 700 000

16 Plaintiffs,

17 vs.

PLAINTIFFS' COMPLAINT FOR
WRONGFUL DEATH [NEGLIGENCE,
STRICT LIABILITY]

18 ST. LAWRENCE LIQUIDATING
19 COMPANY (formerly known as
20 INTERNATIONAL TALC COMPANY,
21 INC.), a corporation; LAGUNA CLAY
22 COMPANY, individually and as successor in
23 interest to WESTWOOD CERAMICS; and
24 DOES 1 through 100, inclusive,

JURY TRIAL DEMANDED

25 Defendants.

26 COME NOW Plaintiffs and for causes of action against defendants,
27 and each of them, complain and allege as follows:

28 **FIRST CAUSE OF ACTION**
(For Negligence Against All Defendants)

1. Plaintiff CAROL SCHNEIDER is the widow of decedent DONALD SCHNEIDER. Plaintiffs DONNA PAAR, TERRI SCHNEIDER, KIM PETERSON and

CIT/CASE: BC377623 LEAD DEF#:
RECEIPT #: CCH18331807
DATE PAID: 09/18/07 09:34:27 AM
PAYMENT: \$320.00
RECEIVED:
CHECK: 320.00
CASH:
CHANGE:
CARD:

TO ORDER COPIES OF ANY DOCUMENTS LISTED BELOW, CALL WESTLAW COURTEXPRESS
1-877-DOC-RETR (1-877-362-7387) (Additional Charges Apply).

This docket is current through 11/29/2008.
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Dockets - WISCONSIN - CIRCUIT COURT

Current Date: 01/09/2009
Source: CIRCUIT COURT, RACINE COUNTY, WISCONSIN

CASE INFORMATION

Case Title: THE ESTATE OF DONALD KIRKORIAN v. ST LAWRENCE LIQUID-
ATING COMPANY
Court: CIRCUIT COURT, RACINE COUNTY
Case Number: 2008CV002183
Case Type: CIVIL
Case Subtype: WRONGFUL DEATH
Key Nature of Suit: TORTS/NEGLIGENCE; WRONGFUL DEATH (430.95)
Date Filed: 08/28/2008
Judge: RICHARD KREUL
Location: BRANCH ID: 10
Case Status: OPEN

PARTICIPANT INFORMATION

Name: THE ESTATE OF DONALD KIRKORIAN
Type: PLAINTIFF
Status: ACTIVE
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: ALLEY, THERESA
Type: PLAINTIFF
Status: ACTIVE
Address: 3101 43RD ST
FRANKSVILLE, WI 53126
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: KIRKORIAN, MICHAEL
Type: PLAINTIFF
Status: ACTIVE
Address: 2862 WAUKESHA RD
FRANKSVILLE, WI 53126
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: KIRCHENBERG, SUE
Type: PLAINTIFF
Status: ACTIVE
Address: 2846 WAUKESHA RD
FRANKSVILLE, WI 53126
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: KIRKORIAN, TOM
Type: PLAINTIFF
Status: ACTIVE
Address: 1108 NORTH NEWMAN RD
RACINE, WI 53406
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: KIRKORIAN, EDWARD JR
Type: PLAINTIFF
Status: ACTIVE
Address: 476 DENA CIRCLE
RACINE, WI 53402
Attorney: JOHN A BECKER
Attorney Status: ENTERED: 08/28/2008

Name: ST LAWRENCE LIQUIDATING COMPANY
Type: DEFENDANT
Status: ACTIVE
Address: 420 LEXINGTON AVE
NEW YORK, NY 10170
AKA Name: ST LAWRENCE LIQUIDATING CORPORATION

AKA Type: ALSO KNOWN AS
Name: UNITED PLUMBING & HEATING SUPPLY COMPANY
Type: DEFENDANT
Status: ACTIVE
Address: 9947 WEST CARMEN AVE
MILWAUKEE, WI 53225
Attorney: MARK K. LONGUA
Attorney Status: ENTERED: 11/07/2008
Attorney: PATRICK JON LUBENOW
Attorney Status: ENTERED: 11/07/2008

Name: FIREMAN'S FUND INSURANCE COMPANY
Type: DEFENDANT
Status: ACTIVE
Address: 777 SAN MARIN DR
NOVATO, CA 94998
Attorney: MICHAEL J COHEN
Attorney Status: ENTERED: 11/07/2008

Name: INSURANCE COMPANY OF NORTH AMERICA
Type: DEFENDANT
Status: ACTIVE
Address: 436 WALNUT ST
PHILADELPHIA, PA 19106
Attorney: HEIDI L VOGT
Attorney Status: ENTERED: 11/24/2008

Name: CENTURY INDEMNITY COMPANY
Type: DEFENDANT
Status: ACTIVE
Address: 436 WALNUT ST
PHILADELPHIA, PA 19106
Attorney: HEIDI L VOGT
Attorney Status: ENTERED: 11/24/2008

CALENDAR INFORMATION

Date/Time:	Description:	Location:	Judge:
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12/15/2008 **Event:** SCHEDULING -- ALICE A RUDEBUSCH
CONFERENCE

DOCKET PROCEEDINGS

Date:	Entry #:	Description:	Date Docketed:	Party:
11/25/2008	25	Docket Entry: NOTICE OF HEARING SCHEDULING CONFERENCE ON DECEMBER 15, 2008 AT 10:45 AM.		
		Send Runner to the Court		
11/24/2008	24	Docket Entry: ANSWER OF DEFENDANT'S IN- SURANCE COMPANY OF NORTH AMERICA AND CENTURY INDEMITY COMPANY		
		Send Runner to the Court		
11/24/2008	23	Docket Entry: NOTICE OF APPEARANCE		
		Send Runner to the Court		
11/24/2008	22	Docket Entry: LETTERS/CORRESPONDENCE FROM VON BRIESEN & ROPER W/NA, AN		
		Send Runner to the Court		
11/14/2008	21	Docket Entry: AFFIDAVIT OF SERVICE AC- CEPTANCE - ON BEHALF OF DEFENDANT INTERNATIONAL TALC BY LITCHFIELD CAVO LLP		
		Send Runner to the Court		
11/14/2008	20	Docket Entry: LETTERS/CORRESPONDENCE FROM BECKER, FRENCH & DEMATTHEW W/ AFS		
		Send Runner to the Court		
11/07/2008	19	Docket Entry: ANSWER AND AFFIRMATIVE DEFENSE DEFENDANT FIREMAN'S FUND IN- SURANCE COMPANY'S - TO PLAINTIFF'S COMPLAINT		

Send Runner to the Court

11/07/2008 18 **Docket Entry: NOTICE OF APPEARANCE**

Send Runner to the Court

11/07/2008 17 **Docket Entry: LETTERS/CORRESPONDENCE
FROM MEISSNER, TIERNEY, FISHER &
NICHOLS W/NA, AAD**

Send Runner to the Court

11/07/2008 16 **Docket Entry: CERTIFICATE OF SERVICE**

Send Runner to the Court

11/07/2008 15 **Docket Entry: ANSWER DEFENDANT'S,
UNITED PLUMBING & HEATING SUPPLY
COMPANY'S - TO PLAINTIFF'S COMPLAINT**

Send Runner to the Court

11/07/2008 14 **Docket Entry: NOTICE OF APPEARANCE DE-
FENDANT, UNITED PLUMBING & HEATING
SUPPLY COMPANY'S**

Send Runner to the Court

11/07/2008 13 **Docket Entry: LETTERS/CORRESPONDENCE
FROM SMITHAMUNDSEN W/NA, AN, COS**

Send Runner to the Court

10/20/2008 12 **Docket Entry: AFFIDAVIT OF SERVICE
UNITED PLUMBING & HEATING & SUPPLY
CO THROUGH GEORGE ROSKA III/REG
AGENT**

Send Runner to the Court

10/20/2008 11 **Docket Entry: LETTERS/CORRESPONDENCE
FROM BECKER, FRENCH DEMATTHEW W/
AFS**

Send Runner to the Court

10/08/2008	10	Docket Entry: AFFIDAVIT OF SERVICE CENTURY INDEMNITY COMPANY THROUGH DAWN PEDERSON Send Runner to the Court
10/08/2008	9	Docket Entry: AFFIDAVIT OF SERVICE INSURANCE COMPANY OF NORTH AMERICA THROUGH DAWN PEDERSON Send Runner to the Court
10/08/2008	8	Docket Entry: AFFIDAVIT OF SERVICE FIREMAN'S FUND INSURANCE COMPANY THROUGH DAWN PEDERSON Send Runner to the Court
10/08/2008	7	Docket Entry: LETTERS/CORRESPONDENCE FROM BECKER, FRENCH & DEMATTHEW W/ AFS Send Runner to the Court
09/24/2008	6	Docket Entry: AMENDED SUMMONS Send Runner to the Court
09/09/2008	5	Docket Entry: ORDER FOR ADMISSION PRO HAC VICE Judge: RICHARD KREUL Send Runner to the Court
09/09/2008	4	Docket Entry: AFFIDAVIT OF JOHN C HEUBECK Send Runner to the Court
09/09/2008	3	Docket Entry: MOTION PLAINTIFF'S - FOR ADMISSION PRO HAC VICE Send Runner to the Court
09/09/2008	2	Docket Entry: LETTERS/CORRESPONDENCE FROM BECKER, FRENCH & DEMATTHEW W/

MO, AF, OR

Send Runner to the Court

08/28/2008

1

Docket Entry: SUMMONS AND COMPLAINT

Send Runner to the Court

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