

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: WELDING ROD PRODUCTS :
LIABILITY LITIGATION : Case No. 1:03-CV-17000
: (MDL Docket No. 1535)
: (1:03-17003; 1:03-17119;
: 1:03-17120; 1:03-17121;
: 1:03-17122; 1:03-17123;
: 1:03-17124; 1:03-17125;
: 1:03-17126; 1:03-17127)
:
: JUDGE O'MALLEY
:
: ORDER
:

For the reasons and to the extent stated below, the Court rules as follows on certain motions to remand pending in cases that have been consolidated in this Multi-District Litigation.

The motion to remand in Ruth v. Lincoln Electric Co., case no. 03-CV-17003 is **GRANTED**. The Ruth case is hereby **REMANDED** to the Circuit Court of the First Judicial District of Hinds County, Mississippi, where it was originally filed.¹

IT IS SO ORDERED.

s/Kathleen M. O'Malley

¹ When Ruth was originally filed, a number of unrelated individuals were joined as parties-plaintiff, even though their joinder was not authorized by the Federal Rules of Civil Procedure. Accordingly, the Court ordered that the case “be severed such that each plaintiff (together with their associated derivative claimants) becomes a plaintiff in a new lawsuit, to which a new case number will be assigned.” Ruth, Order at 2 (Nov. 20. 2003). Thus, the Court’s remand of Ruth to state court actually applies to **all the ten cases** listed in docket no. 5 of Ruth.

**KATHLEEN McDONALD O'MALLEY
UNITED STATES DISTRICT JUDGE**