

FILED  
03 DEC 17 PM 4:51  
U.S. DISTRICT COURT  
CLEVELAND, OHIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re: WELDING ROD PRODUCTS  
LIABILITY LITIGATION

Case No. 1:03CV-17000  
(MDL Docket No. 1535)

Judge Kathleen M. O'Malley

This Pleading Applies to MDL Case Nos.:

- 1:03-17018
- 1:03-17019
- 1:03-17020
- 1:03-17039
- 1:03-17042
- 1:03-17043
- 1:03-17049
- 1:03-17050
- 1:03-17054
- 1:03-17055
- 1:03-17056
- 1:03-17057
- 1:03-17058
- 1:03-17059
- 1:03-17060
- 1:03-17061
- 1:03-17062
- 1:03-17063
- 1:03-17064
- 1:03-17067
- 1:03-17068
- 1:03-17069
- 1:03-17070

**[PROPOSED] ORDER**

1:03-17071 :  
1:03-17072 :  
1:03-17073 :  
1:03-17074 :  
1:03-17075 :  
1:03-17076 :  
1:03-17077 :  
1:03-17078 :  
1:03-17079 :  
1:03-17086 :  
1:03-17087 :  
1:03-17088 :  
1:03-17089 :  
1:03-17090 :  
1:03-17091 :  
1:03-17093 :  
1:03-17094 :  
1:03-17095 :

And :

*Deanes, et al., v. Lincoln Electric Company, et al.,* :  
United States District Court, Northern District of :  
Mississippi, Eastern Division, Case No. 1:03cv278; :

*McWilliams v. Lincoln Electric Company, et al.,* :  
United States District Court, Southern District of :  
Mississippi, Hattiesburg Division, Case No. :  
2:03cv386; :

*Richardson, et al. v. Lincoln Electric Company, et* :  
*al.,* United States District Court Northern District of :  
Mississippi, Eastern Division, Case No. 1:03cv279; :

*Smith, et al. v. Lincoln Electric Company, et al.,* :  
United States District Court, Northern District of :  
Mississippi, Eastern Division, Case No. 1:03cv280; :

*Turbeville v. Lincoln Electric Company, et al.,* :  
United States District Court, Northern District :  
of Mississippi, Greenville Division, Case No. :  
4:03cv318 :


This matter came before the Court on the Stipulated Motion of Plaintiffs and  
Defendant Southern Equipment Supply Company, Inc. ("SESCO"), by and through their

respective attorneys and pursuant to Fed.R.Civ.P. 41(a)(2), to dismiss without prejudice Plaintiffs' claim against SESCO in the above entitled and numbered civil actions. After being fully advised in the premises, the Court finds that the motion is well-taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiffs' claims against SESCO in the actions listed in Schedule "1" to this Order be and are hereby dismissed *without prejudice*, with each party to bear its own costs.

IT IS SO ORDERED.

Dated: 12/17/03

  
\_\_\_\_\_  
Judge Kathleen M. O'Malley  
U.S. District Court Judge

SCHEDULE "1"

MDL CASE NUMBER	ORIGINAL CASE NUMBER	CASE TITLE	TRANSFEROR COURT	TRANSFER DATE	CTO/Transfer Order
1:03-17018	5:03-260	Wilson v Lincoln Electric Company	MSS	8/29/03	CTO-2
1:03-17019	5:03-261	Jackson v Lincoln Electric Company	MSS	8/29/03	CTO-2
1:03-17020	5:03-389	Campbell v Lincoln Electric Company	MSS	8/29/03	CTO-2
1:03-17039	1:02-659	Smith v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17042	1:03-662	Broughton v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17043	1:03-663	Maye v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17049	3:03-918	Dubose v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17050	3:03-919	Williams v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17054	3:03-928	Presher v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17056	4:03-180	Evans v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17057	4:03-279	Bender v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17058	4:03-280	Graham v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17059	4:03-282	Mattix v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17060	5:03-385	Shaifer v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17061	5:03-386	Jackson v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17062	5:03-387	Johnson v Lincoln Electric Co.	MSS	9/30/03	CTO-3

MDL CASE NUMBER	ORIGINAL CASE NUMBER	CASE TITLE	TRANSFEROR COURT	TRANSFER DATE	CTO/Transfer Order
1:03-17063	5:03-391	Carr v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17064	5:03-392	Fife v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17067	5:03-395	Archer v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17068	5:03-397	Armstrong v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17069	5:03-399	Cadney v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17070	5:03-400	Pickering v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17071	5:03-401	Pickering v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17072	5:03-402	Woods v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17073	5:03-403	Kilcrease v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17074	5:03-404	Mackey v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17075	5:03-405	Stander v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17076	5:03-406	Torrain v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17077	5:03-407	Stringer v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17078	5:03-408	Wells v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17079	5:03-409	Wells v Lincoln Electric Co.	MSS	9/30/03	CTO-3
1:03-17086	2:03-397	Bolton v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-	3:03-920	Holloway v B&R Industrial Supply	MSS	10/24/03	CTO-4

MDL CASE NUMBER	ORIGINAL CASE NUMBER	CASE TITLE	TRANSFEROR COURT	TRANSFER DATE	CTO/Transfer Order
17087					
1:03-17088	3:03-923	Carr v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17089	3:03-925	Lingle v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17090	3:03-927	Russell v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17091	4:03-281	Jones v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17093	5:03-390	Paige v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17094	5:03-396	Anderson v Lincoln Electric Co.	MSS	10/24/03	CTO-4
1:03-17095	5:03-398	Buck v Lincoln Electric Co.	MSS	10/24/03	CTO-4
Unknown	1:03-278	Deanes v. Lincoln Electric Co.	MSN	11/07/03	CTO-6
1:03-17055	3:03-929	Adams v. Lincoln Electric Co.	MSS	09/20/03	CTO-3
N/A	2:03-386	McWilliams v. Lincoln Electric Co.	MSS	Removal filed.	N/A
Unknown	1:03-279	Richardson v. Lincoln Electric Co.	MSN	11/07/03	CTO-6
Unknown	1:03-280	Smith v. Lincoln Electric Co.	MSN	11/07/03	CTO-6
Unknown	4:03-318	Turbeville v. Lincoln Electric Co.	MSN	11/07/03	CTO-6