

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
NEW YORK CITY ASBESTOS LITIGATION
-----X

WALTER TWIDWELL,

Plaintiff,

-against-

AERCO INTERNATIONAL, INC., et al.,

Defendants.

See Attached Rider – FULL CAPTION
-----X

:
: Index No.: 190136/2017
: Date Filed: 4/21/2017
:
: Plaintiff designates
: New York
: County as the place of trial
:
: The basis of the venue is
: **Defendant's Place of Business**
:
: **AMENDED SUMMONS**

TO THE ABOVE NAMED DEFENDANTS:

You are hereby summoned to answer the Complaint in this action and to serve a copy of your Answer, or, if the Complaint is not served with this Summons, to serve a Notice of Appearance, on the Plaintiff's Attorney within 20 days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York). In the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Date: New York, New York
May 25, 2017

SIMMONS HANLY CONROY
Attorneys for Plaintiffs
112 Madison Avenue
New York, NY 10016
Tel.: (212)784-6400

By: 
Daniel Patrick Blouin, Esq.

Defendants' addresses:
SEE ATTACHED RIDER

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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NEW YORK CITY ASBESTOS LITIGATION
-----X

WALTER TWIDWELL,

Plaintiff,

-against-

- AERCO INTERNATIONAL, INC.;
- AIR & LIQUID SYSTEMS CORPORATION, BUFFALO
- PUMPS DIVISION;
- AURORA PUMP COMPANY;
- BLACKMER PUMP COMPANY;
- BMCE INC., in itself and as successor to UNITED
- CENTRIFUGAL PUMP CO.;
- BORGWARNER MORSE TEC LLC, as successor-by-
- merger to BORG-WARNER CORPORATION;
- BW/IP INC.;
- CARRIER CORPORATION individually and as successor-
- in-interest to BRYANT HEATING & COOLING
- SYSTEMS;
- CBS CORPORATION, a Delaware Corporation, f/k/a
- VIACOM INC., successor by merger to CBS
- CORPORATION, a Pennsylvania corporation, f/k/a:
- WESTINGHOUSE ELECTRIC CORPORATION;
- CERTAIN-TEED CORPORATION;
- CLEAVER-BROOKS INC.;
- CRANE CO.;
- CROWN CORK & SEAL COMPANY INC.;
- DANA COMPANIES, LLC;
- ELLIOTT COMPANY;**
- FMC CORPORATION;
- FOSTER WHEELER ENERGY CORPORATION;
- GARDNER DENVER INC.;
- GENERAL ELECTRIC COMPANY;
- GEORGIA-PACIFIC LLC;
- GOULDS PUMPS, INCORPORATED;
- GREENE TWEED & CO. INC.;
- HOPEMAN BROTHERS, INC.;**

: Index No.: 190136/2017
:
: Complaint Filed: 4/21/2017
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: **AMENDED FULL**
: **CAPTION RIDER**

IMO INDUSTRIES INC.; :
 INDUSTRIAL HOLDINGS CORPORATION f/k/a THE :
 CARBORUNDUM COMPANY; :
 INGERSOLL-RAND COMPANY; :
 JOHN CRANE INC.; :
 LONE STAR INDUSTRIES INC., :
 METROPOLITAN LIFE INSURANCE COMPANY; :
NASH ENGINEERING COMPANY; :
 QUAKER CHEMICAL CORPORATION; :
 SB DECKING, INC., f/k/a SELBY BATTERSBY & :
 COMPANY; :
SPIRAX SARCO, INC.; :
 THE GOODYEAR TIRE & RUBBER COMPANY; :
 UNION CARBIDE CORPORATION; :
 VELAN VALVE CORPORATION; :
 WARREN PUMPS LLC; :
 WEINMAN PUMP & SUPPLY CO.; :
 WEIR VALVES & CONTROLS USA, INC., d/b/a :
 ATWOOD & MORRILL; :
WILLIAM POWELL COMPANY; :
 JOHN DOE 1 through JOHN DOE 75 (fictitious), :
 : :
 : :
 Defendants. :

-----X

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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NEW YORK CITY ASBESTOS LITIGATION
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WALTER TWIDWELL,

Plaintiff,

-against-

- AERCO INTERNATIONAL, INC.;
- AIR & LIQUID SYSTEMS CORPORATION, BUFFALO PUMPS DIVISION;
- AURORA PUMP COMPANY;
- BLACKMER PUMP COMPANY;
- BMCE INC., in itself and as successor to UNITED CENTRIFUGAL PUMP CO.;
- BORGWARNER MORSE TEC LLC, as successor-by-merger to BORG-WARNER CORPORATION;
- BW/IP INC.;
- CARRIER CORPORATION individually and as successor-in-interest to BRYANT HEATING & COOLING SYSTEMS;
- CBS CORPORATION, a Delaware Corporation, f/k/a VIACOM INC., successor by merger to CBS CORPORATION, a Pennsylvania corporation, f/k/a WESTINGHOUSE ELECTRIC CORPORATION;
- CERTAIN-TEED CORPORATION;
- CLEAVER-BROOKS INC.;
- CRANE CO.;
- CROWN CORK & SEAL COMPANY INC.;
- DANA COMPANIES, LLC;
- ELLIOTT COMPANY;**
- FMC CORPORATION;
- FOSTER WHEELER ENERGY CORPORATION;
- GARDNER DENVER INC.;
- GENERAL ELECTRIC COMPANY;
- GEORGIA-PACIFIC LLC;
- GOULDS PUMPS, INCORPORATED;
- GREENE TWEED & CO. INC.;
- HOPEMAN BROTHERS, INC.;**
- IMO INDUSTRIES INC.;
- INDUSTRIAL HOLDINGS CORPORATION f/k/a THE CARBORUNDUM COMPANY;

: Index No.: 190136/2017
:
: Complaint Filed: 4/21/2017

**VERIFIED AMENDED
COMPLAINT**

INGERSOLL-RAND COMPANY; :
 JOHN CRANE INC.; :
 LONE STAR INDUSTRIES INC., :
 METROPOLITAN LIFE INSURANCE COMPANY; :
NASH ENGINEERING COMPANY; :
 QUAKER CHEMICAL CORPORATION; :
 SB DECKING, INC., f/k/a SELBY BATTERSBY & :
 COMPANY; :
SPIRAX SARCO, INC.; :
 THE GOODYEAR TIRE & RUBBER COMPANY; :
 UNION CARBIDE CORPORATION; :
 VELAN VALVE CORPORATION; :
 WARREN PUMPS LLC; :
 WEINMAN PUMP & SUPPLY CO.; :
 WEIR VALVES & CONTROLS USA, INC., d/b/a :
 ATWOOD & MORRILL; :
WILLIAM POWELL COMPANY; :
 JOHN DOE 1 through JOHN DOE 75 (fictitious), :
 :
 Defendants. :

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 Plaintiff's complaint of the defendants, by SIMMONS HANLY CONROY, their attorneys, respectfully alleges, upon information and belief, at all times hereinafter mentioned, as follows:

PARTIES – PLAINTIFFS

1. Plaintiff, Walter Twidwell, resides at 2263 North River Rd., Cosmopolis, Washington. Walter Twidwell was exposed to asbestos while working as a boiler tender for the U.S. Navy in and around New York City. While working at these jobs and at other times and places, he was exposed to dust from asbestos and asbestos containing products and he was diagnosed with mesothelioma on or about March 24, 2017. Said injury meeting the criteria for placement on the New York City Asbestos Litigation (“NYCAL”) active docket as set forth in the NYCAL Case management order.

2. Plaintiff respectfully repeats and realleges, and incorporates as set forth more fully herein all allegations contained in Simmons Hanly Conroy Standard Complaint for New York City Asbestos Litigation filed with the Court under Index No. 40,000 on June 16, 2015 as it pertains to the defendants in the aforementioned caption.

3. Reference herein to plaintiff and/or plaintiff's decedents is reference to all the persons set forth above as is syntactically and contextually correct.

PARTIES - DEFENDANTS

4. Defendant, AERCO INTERNATIONAL INC., is a corporation and was doing business in the State of New York.

5. Defendant, AIR & LIQUID SYSTEMS CORPORATION, BUFFALO PUMPS DIVISION, is a corporation and was doing business in the State of New York.

6. Defendant, AURORA PUMP COMPANY, is a corporation and was doing business in the State of New York.

7. Defendant, BLACKMER PUMP COMPANY, is a corporation and was doing business in the State of New York.

8. Defendant, BMCE INC., in itself and as successor to United Centrifugal Pump Co., is a corporation and was doing business in the State of New York.

9. Defendant, BORGWARNER MORSE TEC LLC, as successor-in-interest to BORG-WARNER CORPORATION, is a corporation and was doing business in the State of New York.

10. Defendant, BW/IP INC., is a corporation and was doing business in the State of New York.

11. Defendant, CARRIER CORPORATION individually and as successor-in-interest to BRYANT HEATING & COOLING SYSTEMS, is a corporation and was doing business in the State of New York.

12. Defendant, CBS CORPORATION f/k/a VIACOM INC., successor by merger to CBS CORPORATION, f/k/a WESTINGHOUSE ELECTRIC CORPORATION, is a corporation and was doing business in the State of New York.

13. Defendant, CERTAIN-TEED CORPORATION, is a corporation and was doing business in the State of New York.

14. Defendant, CLEAVER-BROOKS INC., is a corporation and was doing business in the State of New York.

15. Defendant, CRANE CO. is a corporation and was doing business in the State of New York.

16. Defendant, CROWN CORK & SEAL COMPANY INC. is a corporation and was doing business in the State of New York.

17. Defendant, DANA COMPANIES, LLC, is a corporation and was doing business in the State of New York.

18. Defendant, ELLIOTT COMPANY, is a corporation and was doing business in the State of New York.

19. Defendant, FMC CORPORATION, is a corporation and was doing business in the State of New York.

20. Defendant, FOSTER WHEELER ENERGY CORPORATION is a corporation and was doing business in the State of New York.

21. Defendant, GARDNER DENVER INC., is a corporation and was doing

business in the State of New York.

22. Defendant, GENERAL ELECTRIC COMPANY, is a domestic corporation and was doing business in the State of New York.

23. Defendant, GEORGIA PACIFIC LLC is a corporation and was doing business in the State of New York.

24. Defendant, GOULDS PUMPS, INCORPORATED, is a corporation and was doing business in the State of New York.

25. Defendant, GREENE TWEED & CO. INC., is a corporation and was doing business in the State of New York.

26. Defendant, HOPEMAN BROTHERS, INC., is a corporation and was doing business in the State of New York.

27. Defendant, IMO INDUSTRIES INC., is a corporation and was doing business in the State of New York.

28. Defendant, INDUSTRIAL HOLDINGS CORPORATION f/k/a THE CARBORUNDUM COMPANY, is a domestic corporation with its principal place of business in the State of New York.

29. Defendant, INGERSOLL-RAND COMPANY, is a corporation and was doing business in the State of New York.

30. Defendant, JOHN CRANE INC., is a corporation and was doing business in the State of New York.

31. Defendant, LONE STAR INDUSTRIES INC., is a corporation and was doing business in the State of New York.

32. Defendant, METROPOLITAN LIFE INSURANCE COMPANY is a corporation

and was doing business in the State of New York.

33. Defendant, NASH ENGINEERING COMPANY, is a corporation and was doing business in the State of New York.

34. Defendant, QUAKER CHEMICAL CORPORATION, is a corporation and was doing business in the State of New York.

35. Defendant, SB DECKING INC., f/k/a SELBY BATTERSBY & COMPANY, is a corporation and was doing business in the State of New York.

36. Defendant, SPIRAX SARCO, INC., is a corporation and was doing business in the State of New York.

37. Defendant, THE GOODYEAR TIRE & RUBBER COMPANY, is a corporation and was doing business in the State of New York.

38. Defendant UNION CARBIDE CORPORATION, is a domestic corporation with its principal place of business in the State of New York.

39. Defendant, VELAN VALVE CORPORATION, is a corporation and was doing business in the State of New York.

40. Defendant, WARREN PUMP, LLC, is a corporation and was doing business in the State of New York.

41. Defendant, WEIR VALVES & CONTROLS USA, INC., d/b/a ATWOOD & MORRILL, is a corporation and was doing business in the State of New York.

42. Defendant, WEINMAN PUMP & SUPPLY CO., is a corporation and was doing business in the State of New York.

43. Defendant, WILLIAM POWELL COMPANY, is a corporation and was doing business in the State of New York.

44. Defendant John Doe 1 (believed to be Johns-Manville Sales Corporation); John Doe 2 (believed to be Johns-Manville Sales Corporation, successor to Johns-Manville Products Corporation); John Doe 3 (believed to be Johns-Manville Corporation); John Doe 4 (believed to be Johns-Manville Canada, Inc., formerly known as Canadian Johns-Manville Co., Ltd.); John Doe 5 (believed to be Canadian Johns-Manville Amiante Ltd., formerly known as Canadian Johns-Manville Asbestos, Ltd.); John Doe 6 (believed to be Manville Corporation); and John Doe 7 (believed to be International Johns-Manville Corporation, Ltd.) are the fictitious names of corporations, partnerships, or other business entities or organizations, whose identities are not presently known.

45. John Doe 8 through John Doe 50, are the fictitious names of corporations, partnerships, or other business entities or organizations whose identities are not presently known, and who mined, manufactured, sold, marketed, installed or removed, asbestos or asbestos containing products which plaintiff used or was exposed to.

46. John Doe 51 through John Doe 75 are the fictitious names of corporations, partnerships, or other business entities or organizations whose identities are not presently known, and who are the alter ego of or are otherwise responsible for the conduct or liability of those who mined, milled, manufactured, sold, marketed, installed or removed asbestos or asbestos containing products which plaintiff used or to which plaintiff was exposed.

47. The term “defendant” is used hereafter to refer to all of the entities named above.

48. At all relevant times the defendants have done business in this state, have transacted business in this state, have committed one or more tortuous acts within this state, and otherwise have performed acts within or without the state which have given rise to the injuries and losses hereafter described, and which subjects them to jurisdiction of the courts of this state.

49. Plaintiff hereby incorporates by reference all allegations set forth in the Standard Verified Complaint filed with the Court under Index No. 40,000 on June 16, 2015 in accordance with the Case Management Order entered by Justice Freedman respecting asbestos litigation. Copies of the Standard Complaint are available upon written request.

Dated: May 25, 2017

SIMMONS HANLY CONROY
Attorneys for Plaintiffs
112 Madison Avenue
New York, NY 10016
Tel.: (212)784-6400

By: 
Daniel Patrick Blouin, Esq.

OF COUNSEL

SIMMONS HANLY CONROY
Timothy F. Thompson, Jr. (IL Id. No. 6227183)
One Court Street
Alton, Illinois 62002
Tele: (618) 259-2222
Fax: (618) 259-2251


STATE OF NEW YORK)

COUNTY OF NEW YORK)

The undersigned, an attorney admitted to practice in the Courts of New York State, shows:

Deponent is a member of the firm SIMMONS HANLY CONROY, Trial Counsel for the Plaintiff(s) in the within action; deponent has read the foregoing Summons and Verified Complaint and knows the contents thereof; the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true. This Verification is made by deponent and not by Plaintiff(s) because Plaintiff(s) resides outside of the County of New York where the deponent maintains his office.

Dated: May 25, 2017



Daniel Patrick Blouin, Esq.

Walter Twidwell v. AERCO International, Inc., et al.

NYCAL – Filed April 21, 2017

Defendant	SERVICE
AERCO INTERNATIONAL INC.	AERCO INTERNATIONAL INC. 100 Oritani Drive Blauvelt, NY 10913
AIR & LIQUID SYSTEMS CORPORATION, BUFFALO PUMPS DIVISION	AIR & LIQUID SYSTEMS CORPORATION, BUFFALO PUMPS DIVISION C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, New York 10011
AURORA PUMP COMPANY	AURORA PUMP COMPANY 13320-A Ballantyne Corporate Place Charlotte, NC 28277
BLACKMER PUMP COMPANY	BLACKMER PUMP COMPANY 1809 Century Avenue SW Grand Rapids, MI 49503
BMCE INC., in itself and as successor to United Centrifugal Pump Co.	BMCE INC., in itself and as successor to United Centrifugal Pump Co. c/o Marshall Dennehey Warner Coleman & Goggin 105 Maxess Road, Suite 303 Melville, NY 11747
BORGWARNER MORSE TEC LLC, as successor by merger to BORG-WARNER CORPORATION	BORGWARNER MORSE TEC LLC, as successor by merger to BORG-WARNER CORPORATION The Corporation Trust Company 1209 North Orange Street Wilmington, DE 19801
BW/IP INC.	BW/IP INC. C/O The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
CARRIER CORPORATION individually and as successor-in-interest to BRYANT HEATING & COOLINGS SYSTEMS	CARRIER CORPORATION individually and as successor-in-interest to BRYANT HEATING & COOLINGS SYSTEMS C/O CT Corporation System 111 8 th Avenue – 17 th Floor New York, New York 10011
CBS CORPORATION f/k/a VIACOM INC., successor by merger to CBS CORPORATION, f/k/a WESTINGHOUSE ELECTRIC CORPORATION	CBS CORPORATION f/k/a VIACOM INC., successor by merger to CBS CORPORATION, f/k/a WESTINGHOUSE ELECTRIC CORPORATION C/O Corporation Service Company 80 State Street Albany, NY 12207-2543
CERTAIN-TEED CORPORATION	CERTAIN-TEED CORPORATION C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, New York 10011
CLEAVER-BROOKS INC.	CLEAVER-BROOKS INC. C/O C T Corporation System 111 Eighth Avenue, 13 th Floor New York, New York, 10011
CRANE CO.	CRANE CO. C/O The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801

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CROWN CORK & SEAL COMPANY, INC.	CROWN CORK & SEAL COMPANY, INC. C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, New York 10011
DANA COMPANIES LLC	DANA COMPANIES LLC C/O CT Corporation System 4701 Cox Road, Suite 285 Glen Allen, VA 23060
ELLIOTT COMPANY	ELLIOTT COMPANY C.T. Corporation System 111 8th Avenue, 13th Floor, New York, NY 10011
FMC CORPORATION	FMC CORPORATION C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, New York 10011
FOSTER WHEELER ENERGY CORPORATION	FOSTER WHEELER ENERGY CORPORATION C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, NY 10011
GARDNER DENVER INC.	GARDNER DENVER INC. C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, New York 10011
GENERAL ELECTRIC COMPANY	GENERAL ELECTRIC COMPANY One Corporate Center Hartford, CT 06106
GEORGIA PACIFIC LLC	GEORGIA PACIFIC LLC C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, NY 10011
GOULDS PUMPS, INCORPORATED	GOULDS PUMPS, INCORPORATED C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, NY 10011
GREENE TWEED & CO. INC.	GREENE TWEED & CO. INC. C/O Wilmington Trust SP Service Inc. 1105 North Market Street, Suite 1300 Wilmington, DE 19801
HOPEMAN BROTHERS, INC.	HOPEMAN BROTHERS, INC. 435 Exxex Avenue, Suite 101, Waynesboro, VA 22980
IMO INDUSTRIES INC.	IMO INDUSTRIES INC. C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, NY 10011
INDUSTRIAL HOLDINGS CORPORATION f/k/a THE CARBORUNDUM COMPANY	INDUSTRIAL HOLDINGS CORPORATION f/k/a THE CARBORUNDUM COMPANY C/O The Prentice-Hall Corporation System Inc 80 State Street Albany, New York, 12207
INGERSOLL-RAND COMPANY	INGERSOLL-RAND COMPANY Corporation Service Company 80 State Street Albany, NY 12207-2543

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JOHN CRANE INC.	JOHN CRANE INC. C/O CT Corporation System 111 8 th Ave., 13 th Floor New York, NY 10011
LONE STAR INDUSTRIES INC.	LONE STAR INDUSTRIES INC. Illinois Corporation Service Company 801 Adlai Stevenson Dr. Springfield, IL 62703
METROPOLITAN LIFE INSURANCE COMPANY	METROPOLITAN LIFE INSURANCE COMPANY C/O The Corporation Trust Company 1209 North Orange Street Wilmington, DE 19801
NASH ENGINEERING COMPANY	NASH ENGINEERING COMPANY United States Corporation Company 50 Weston Street Hartford, CT 06120
QUAKER CHEMICAL CORPORATION	QUAKER CHEMICAL CORPORATION Illinois Corporation Service Company 801 Adlai Stevenson Dr. Springfield, IL 62703
SB DECKING, INC., f/k/a SELBY BATTERSBY & COMPANY	SB DECKING, INC., f/k/a SELBY BATTERSBY & COMPANY C/O The Corporation Trust Company Corporation Trust Center 1209 Orange Street Wilmington, DE 19801
SPIRAX SARCO, INC.	SPIRAX SARCO, INC. C.T. Corporation System 111 8th Avenue, 13th Floor, New York, NY 10011
THE GOODYEAR TIRE & RUBBER COMPANY	THE GOODYEAR TIRE & RUBBER COMPANY C/O Corporation Service Company 2711 Centerville Road, Suite 400 Wilmington, DE 19808
UNION CARBIDE CORPORATION	UNION CARBIDE CORPORATION C/O CT Corporation System 111 8 th Avenue – 13 th Floor New York, NY 10011
VELAN VALVE CORPORATION	VELAN VALVE CORPORATION 94 Avenue C Williston, VT 05495
WARREN PUMPS LLC	WARREN PUMPS LLC C/O The Corporation Trust Company Corporation Trust Center 1209 Orange St. Wilmington, DE 19801
WEINMAN PUMP & SUPPLY CO.	WEINMAN PUMP & SUPPLY CO. 5001 Baum Boulevard, Suite 419 Pittsburgh, PA 15213
WEIR VALVES & CONTROLS USA, INC. d/b/a ATWOOD & MORRILL	WEIR VALVES & CONTROLS USA, INC. d/b/a ATWOOD & MORRILL C/O CT Corporation System 111 8 th Avenue 13 th Floor New York, NY, 10011
WILLIAM POWELL COMPANY	WILLIAM POWELL COMPANY

Walter Twidwell v. AERCO International, Inc., et al.
NYCAL – Filed April 21, 2017

	2503 Spring Grove Avenue Cincinnati, OH 45214
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