

FILED

JUNE 7, 2021

HON. BRUCE J. KAPLAN, J.S.C.

DELANY LAW

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ESTATE OF GEORGE LINK and DIANE E.
LINK,

PLAINTIFFS

VS.

ABB, INC., Individually and as Successor in
Interest to ITE ELECTRONIC PRODUCTS
CO., et. al.

DEFENDANTS

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MIDDLESEX COUNTY

DOCKET NO. MID-L-6245-17 AS

CIVIL ACTION
ASBESTOS LITIGATION

ORDER OF THE COURT

THIS MATTER having been brought before the Court upon motion by the John J. Delaney, III, Esq., attorney for Defendant, Peerless Industries, Inc., for an Order to be relieved as counsel, and the Court having read and considered all papers submitted in the matter, and for good cause having been shown;

IT IS on this 7 day of June, 2021;

ORDERED, that John J. Delany, III, Esquire, M. Thomas Wallace, Esquire and the Delany Law are permitted to withdraw as counsel of record for Peerless Industries, Inc. in this matter **is hereby GRANTED**; and it is further

ORDERED that John J. Delany, III, Esquire, M. Thomas Wallace, Esquire and the law firm of Delany Law must forward the Defendant's case file to Defendant, Peerless Industries, Inc., either through personal service and acknowledgement, or through regular and certified mail, return receipt requested; and it is further

ORDERED that John J. Delany, III, Esquire, M. Thomas Wallace, Esquire and the law firm of Delany Law must forward to Defendant, Peerless Industries, Inc., any and all mail received in this case, either through personal service and acknowledgement or through regular and certified mail, return receipt requested; and it is further

ORDERED that Defendant, Peerless Industries, Inc., shall have thirty (30) days to retain new counsel, and pursuant to R. 1:21-1(c) of the Rules Governing the Courts of the State of New Jersey, since the Defendant, Peerless Industries, Inc., is a corporate entity, the entity must be represented by an attorney licensed to practice law in the State of New Jersey, and until Defendant, Peerless Industries, Inc., retain counsel within this time, the Court will provide Defendant with all notices to then be sent to the litigant's mailing address; and it is further

ORDERED that John J. Delany, III, Esquire, M. Thomas Wallace, Esquire and the law firm of Delany Law must serve a copy of this Order on Defendant, Peerless Industries, Inc., via regular and certified mail, return receipt requested, and overnight delivery service (e.g., UPS, FedEx, etc.); and it is further

ORDERED that service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this order.

/s/ Bruce J. Kaplan
HONORABLE BRUCE J. KAPLAN, J.S.C.

UNOPPOSED and with the consent of the Defendant.

This motion to be relieved as counsel has been pending as unopposed since it was filed in February 2020. Moreover, pursuant to Exhibit A attached to the motion, the vice president of the Defendant corporation is not only aware of this motion, but consents to the requested relief. Specifically, due to a lack of insurance coverage, this Defendant will not be defending this matter.

As to the Order, the following conditions apply, which shall supplement the Court's Order of this date:

- A. The notification of this Order shall also be provided as follows: Pursuant to R. 1:21-1(c) of the Rules Governing the Courts of the State of New Jersey, since the Defendant,

Peerless Industries, Inc., is a corporate entity, the entity must be represented by an attorney licensed to practice law in the State of New Jersey. The Superseding Attorney must enter an appearance on behalf of the entity by the execution and filing of a “Substitution of Attorney”. In other words, the corporate Defendant, Peerless Industries, Inc., cannot be represented *pro se* or by an unlicensed person or principal of the entity unless he/she is a licensed New Jersey attorney.

- B. In the letter notification aforesaid, Withdrawn Counsel shall also advise Defendant, Peerless Industries, Inc. that the Discovery End Date in this matter expired on February 7, 2019.