

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Rene C. Davidson Courthouse

JOHN C. LOHMANN et al  
Plaintiff/Petitioner(s)  
VS.  
ALI GROUP NORTH  
AMERICAN CORPORATION,  
individually et al  
Defendant/Respondent  
(s)

No. 22CV023258

Date: 05/27/2025

Time: 1:12 PM

Dept: 18

Judge: Patrick McKinney

ORDER re: Ruling on Submitted

Matter filed by JOHN C.

LOHMANN (Plaintiff);

SUZANNE L. LOHMANN

(Plaintiff) on 05/13/2025

The Court, having taken the matter under submission on 05/20/2025, now rules as follows: This Order After Hearing follows a hearing conducted on 5/20/2025, and the filing of a notice from plaintiffs that John C. Lohmann passed away on 5/22/2025

Plaintiffs Cara Grimes' ("Ms. Grimes" or "Cara") and John ("Mr. Lohmann or "John") and Suzanne Lohmann's (collectively, "Plaintiffs") Second Motion to Consolidate Grimes v. Aeon, Inc., Case No. 22CV023061 (the "Grimes Action") and Lohmann v. ALI Group North American Corp., Case No. 22CV023258 (the "Lohmann Action" or "Lohmann II") is DENIED.

The Grimes and Lohmann Actions currently have preference trials set for respectively, 6/16/2025 (Lohmann) and 6/23/2025 (Grimes). However, due to Mr. Lohmann's death on 5/22/2025, the preference trial in Lohmann II has been VACATED by separate order.

Further, there is no longer an issue of Mr. Lohmann being required to testify in two separate trials. Instead, plaintiffs in the Grimes and Lohmann II actions will be required present at trial Mr. Lohmann's trial preservation deposition testimony in the Grimes Action and Lohmann I and/or Lohmann II.

Since Lohmann II is no longer at issue and will not be at issue until plaintiffs serve and file an Amended pleading sounding in wrongful death and survivorship, while the Grimes Action has a 6/23/2025 preference trial date, it is unlikely that actions could be consolidated unless plaintiff Cara Grimes were to stipulate to a significant continuance of her preference trial date.

ORDER re: Ruling on Submitted Matter filed by JOHN C. LOHMANN  
(Plaintiff); SUZANNE L. LOHMANN (Plaintiff) on 05/13/2025

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA**

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Defendants filed approximately five Oppositions to the Motion in which at least another five defendants join. The principal and strongest argument made by the Oppositions is that they would be prejudiced, particularly with respect to Ms. Grimes' take-home exposure claims if the two cases were tried together. Defendants point out that Ms. Grimes' and Mr. Lohmann's exposure periods with respect to their claims against defendants are significantly different, with Mr. Lohmann's exposure period being approximately six times as long as Ms. Grimes' and based on Mr. Lohmann's alleged direct work-related exposures to defendants' allegedly asbestos-containing products over a 36-year period, while Ms. Grimes was primarily exposed during a six-year period based on a take-home exposure theory.


With Mr. Lohmann's passing, the main reasons presented by plaintiffs for consolidation no longer exist.

Wherefore, the Court DENIES the Motion to Consolidate the Grimes Action and Lohmann II.

Dated : 05/27/2025



Patrick McKinney / Judge

<p align="center"><b>SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA</b></p>	<p align="center">Reserved for Clerk's File Stamp</p>
<p>COURTHOUSE ADDRESS: Rene C. Davidson Courthouse 1225 Fallon Street, Oakland, CA 94612</p>	<p align="center"><b>FILED</b> Superior Court of California County of Alameda 05/27/2025</p>
<p>PLAINTIFF/PETITIONER: JOHN C. LOHMANN et al</p>	<p>Chad Finke, Executive Officer / Clerk of the Court By:  Deputy</p>
<p>DEFENDANT/RESPONDENT: ALI GROUP NORTH AMERICAN CORPORATION, individually et al</p>	<p>P. Drummer-Williams</p>
<p align="center"><b>CERTIFICATE OF ELECTRONIC SERVICE CODE OF CIVIL PROCEDURE 1010.6</b></p>	<p>CASE NUMBER: 22CV023258</p>

I, the below named Executive Officer/Clerk of Court of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served one copy of the Order re: Ruling on Submitted Matter filed by JOHN C. LOHMANN (Plaintif... entered herein upon each party or counsel of record in the above entitled action, by electronically serving the document(s) from my place of business, in accordance with standard court practices.

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Chad Finke, Executive Officer / Clerk of the Court

Dated: 05/27/2025

By:



P. Drummer-Williams, Deputy Clerk

SHORT TITLE: LOHMANN, et al. vs ALI GROUP NORTH  
AMERICAN CORPORATION, INDIVIDUALLY, et al.

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