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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT
THE DISTRICT OF
MASSACHUSETTS

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.....
ANNE ANDERSON, et al.,
Plaintiffs,
v.
W. R. GRACE & CO., et al.,
Defendants.
.....

CIVIL ACTION
NO. 82-1672-S

W. R. GRACE & CO.'S MOTION TO DISMISS
CLAIMS ON BEHALF OF MICHAEL ZONA

Based on the jury's answers to the special questions in Phase I, W. R. Grace & Co. ("Grace") moves the Court to dismiss all claims on behalf of Michael Zona. As grounds for its motion, Grace states that in the case of Michael Zona, who was diagnosed as having leukemia in June 1973 and who died on February 23, 1974, the jury has determined that plaintiffs have failed to prove that tetrachloroethylene or trichloroethylene from Grace reached the wells before injury occurred.

(487)

Further grounds for Grace's motion are set forth in its accompanying Memorandum In Support Of Motions Re Phase I, filed herewith.

W. R. Grace & Co.
By its attorneys

Michael B. Keating

Michael B. Keating
William J. Cheeseman
Sandra L. Lynch
Marc K. Temin
Foley, Hoag & Eliot
One Post Office Square
Boston, Massachusetts 02109
(617) 482-1390

CERTIFICATE OF SERVICE

I, Joseph Halpern, hereby certify that I this day served W. R. Grace & Co.'s Motion To Dismiss Claims On Behalf Of Michael Zona upon all of the other parties to the above-entitled action, by causing copies thereof to be delivered by hand to the office of their counsel of record Jan Richard Schlichtmann, Esq., Schlichtmann, Conway & Crowley, 171 Milk Street, Boston, MA 02109.

Joseph Halpern
Joseph Halpern

Dated: Aug. 25, 1986