

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

**IN RE: WELDING FUME PRODUCT
(KMO)
LIABILITY LITIGATION**

CASE NO.: 1:2003-CV-17000

MDL Case No. 1535

JUDGE KATHLEEN O'MALLEY

This pleading applies to:

Ernest Ray v. Lincoln Electric et al., Case No. 1:04cv18252

**MOTION FOR AN ORDER VOLUNTARILY DISMISSING
PLAINTIFF WITH PREJUDICE**

Now comes Welding Fume Plaintiff Ernest Ray, by and through his undersigned counsel, and hereby moves the Court to issue an order dismissing plaintiff from the action pending in this above-captioned multidistrict litigation, with prejudice. Plaintiff in the above captioned matter no longer seeks to prosecute his individual claim against Defendants. Plaintiff respectfully moves this Court to enter an Order dismissing this action with prejudice. Each party is to bear their own costs.

Dated: November 2, 2009

Respectfully submitted,

/s/ James W. Ledlie

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CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2009 a true copy of the foregoing was filed electronically. Notice of this filing was sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

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