

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

PLAINTIFF'S EXHIBIT

NAR-229

IN RE:

NORTH AMERICAN REFRACTORIES
COMPANY,

Debtor.

NORTH AMERICAN REFRACTORIES
COMPANY,

Plaintiff,

v.

PARTIES LISTED ON EXHIBIT A
TO COMPLAINT,

Defendants.

EXHIBIT

A

In Proceedings for a
Reorganization under
Chapter 11

Case No.

02-10198

Adversary Proceeding No. 00-2004

TEMPORARY RESTRAINING ORDER

Before the Court are the Complaint for Declaratory and Injunctive Relief ("Complaint") and the Motion for a Temporary Restraining Order and for an Injunction ("Motion"), both of which were filed by the debtor-in-possession, North American Refractories Company ("NARCO"), on or about January 4, 2002. The Complaint and Motion seek, inter alia, (i) a declaratory judgment that the automatic stay imposed by 11 U.S.C. § 362(a) extends to stay or enjoin present and future NARCO-related asbestos claims against Honeywell International, Inc. ("Honeywell"); and (ii) a temporary restraining order and an injunction that stay and enjoin all such asbestos claims and

1. NARCO's request for a temporary restraining order, as set forth in the Motion, is hereby **GRANTED**.

2. A temporary restraining order is hereby issued, without notice, and hereby directed to the cases filed by the Defendants listed on Exhibit A to the Complaint ("Present Asbestos Actions"), and to all other cases, including future cases, and plaintiffs and potential plaintiffs in other asbestos-related claims and lawsuits against **Honeywell which arise from the NARCO Product Line** ("Other Asbestos Actions"). ("Present Asbestos Actions" and "Other Asbestos Actions" together constitute "Asbestos Actions"). All Asbestos Actions are hereby enjoined, stayed, and all persons are hereby enjoined, stayed and restrained from prosecuting and/or commencing any Asbestos Action, including, without limitation, (i) the pursuit of discovery from Honeywell or from any of Honeywell's directors, officers, and employees; (ii) the enforcement of any discovery orders heretofore issued in any of the Asbestos Actions; and (iii) further motion practice in any of the Asbestos Actions, until this Court enters an order deciding whether to grant NARCO's requests for an injunction and for declaratory judgment relief, as set forth in the Motion.

3. If applicable non-bankruptcy law, an order entered in a non-bankruptcy proceeding, or an agreement fixes a period for commencing or continuing any civil action in a court, other than this Bankruptcy Court, on a asbestos-related personal injury claim against Honeywell that arises from the NARCO refractory business, and such period has

not expired before the date of this Order, then such period does not expire until the later of (a) the end of such period, including any suspension of such period on or after the date of this Order; or (b) thirty (30) days after notice of termination or expiration of the injunction granted in decretal paragraph 2 above, with respect to such claim.

4. A hearing on the merits of NARCO's requests for a temporary or preliminary injunction and for declaratory judgment relief, as set forth in the Motion, is hereby scheduled to take place on the 17 day of Jan, 2002, at 2:00 am/p.m., in Courtroom A. In order to be considered by the Court, any response or opposition to the Motion must be filed by Jan. 15, 2002, and served so as to be actually received by counsel for NARCO and by counsel for Honeywell on or before such date, at the addresses set forth below.

5. Debtor shall give actual notice of the entry of this Order to counsel for the 8,500 plaintiffs in Present Asbestos Actions pending against Honeywell and use its best efforts to notify all other asbestos plaintiffs' counsel representing claimants in other

Present Asbestos Actions. *For cause, the hearing will be held on Jan. 17 so that Debtor can provide effective notice to the 8500 plaintiffs who are defendants herein.*

6. This temporary restraining order shall be effective on January 4, 2002, at 4:50 pm

4:50 am/pm and shall expire on January 14, 2002, at 4:50 am/pm. However,

it is hereby extended due to the court's unavailability to hear either a motion to extend the TRO or for preliminary injunctions which is until Jan 17. Therefore, the TRO is

Date: Jan. 4, 2002

Time: 4:50 pm

Judith K. Fitzgerald
United States Bankruptcy Judge

cc: Counsel to NARCO:

Paul Singer, Esq.
ReedSmith, LLP
435 Sixth Avenue
Pittsburgh, PA 15219

cc: Counsel to Honeywell:

Peter J. Sacripanti, Esq.
McDermott, Will & Emery
50 Rockefeller Center
New York, New York

Daniel M. Lewis, Esq.
Arnold & Porter
555 12th Street, NW
Washington, DC