

NOTED CIVIL DOCKET
MAR 19 2014
JULIE BALL
CLERK CIRCUIT COURT
MERCER COUNTY

**IN THE CIRCUIT COURT OF MERCER COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**ERIE INSURANCE PROPERTY
AND CASUALTY COMPANY,**

Plaintiff,

v.

**Civil Action No. 12-C-687
(Honorable James J. Rowe)**

**ALEX LAMBERT, LAMBERTS
CONSTRUCTION COMPANY,
And CROWN POINT PROPERTIES, LLC,**

Defendants.

STIPULATION AND ORDER OF VOLUNTARY DISMISSAL

On this day, came the Plaintiff, Erie Insurance Property and Casualty Company, by counsel, Michelle E. Piziak, Lauren M. Palmer and the law firm of Steptoe & Johnson PLLC, Defendants, Alex Lambert and Lamberts Construction Company, by counsel, Michael F. Gibson and the law firm of Gibson, Lefler & Associates, and Defendant Crown Point Properties, LLC, by counsel, Harold B. Wolfe, III, pursuant to Rule 41(a)(1)(ii) of the *West Virginia Rules of Civil Procedure*, and represented to the Court that the Plaintiff does hereby agree and stipulate to voluntarily dismiss all claims against the Defendants, Alex Lamberts, Lamberts Construction Company, and Crown Point Properties, LLC.

Accordingly, it is **ORDERED** that all claims against Defendants Alex Lamberts, Lamberts Construction Company, and Crown Point Properties, LLC are **DISMISSED WITHOUT PREJUDICE**, with each party bearing its own costs and attorneys' fees incurred in connection with the prosecution and defense of this matter.

The Circuit Clerk is directed to send a certified copy of this Stipulation and Order of Voluntary Dismissal to counsel of record as follows:

Michelle E. Piziak, Esquire
Lauren M. Palmer, Esquire
STEPTOE & JOHNSON PLLC
P.O. Box 1588
Charleston, WV 25326-1588
*Counsel for Erie Insurance Property
And Casualty Company*

Michael F. Gibson, Esquire
Gibson, Lefler, & Associates
1345 Mercer Street
Princeton, WV 24740
*Counsel for Alex Lambert and
Lamberts Construction Company*

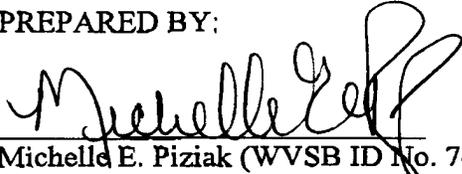
Harold B. Wolfe, III
1422 Main Street
Princeton, West Virginia 24740
Counsel for Crown Point Properties, LLC

ENTERED this 17th day of March, 2014.



Honorable James J. Rowe

PREPARED BY:

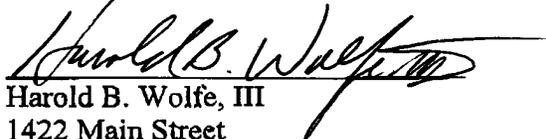


Michelle E. Piziak (WVSB ID No. 7494)
Lauren M. Palmer (WVSB ID No. 11964)
Steptoe & Johnson PLLC
P.O. Box 1588
Charleston, West Virginia 25326-1588
304-353-8000
*Counsel for Erie Insurance Property
And Casualty Company*

AGREED TO BY:



Michael F. Gibson, Esquire
Gibson, Lefler, & Associates
1345 Mercer Street
Princeton, WV 24740
*Counsel for Alex Lambert and
Lamberts Construction Company*



Harold B. Wolfe, III
1422 Main Street
Princeton, West Virginia 24740
Counsel for Crown Point Properties, LLC