

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

IN RE: MOTION TO REFER TO THE MASS LITIGATION PANEL THE PROCEEDINGS OF KIMBER LEE DANIELS, PLAINTIFF V. ALPHA NATURAL RESOURCES, INC., ET AL., DEFENDANTS, MINGO COUNTY CIVIL ACTION NO. 11-C-244

On March 4, 2010, the Chief Justice denied the *Plaintiffs' Motion for Referral to the Mass Litigation Panel*, filed in Melissa Lester, West Virginia Resident, Plaintiff v. Alpha Natural Resources Services, a Virginia Corporation, et al., Defendants, Mingo County Civil Action No. 09-C-311.

The Chief Justice has now reviewed *Plaintiffs' Renewed Motion for Referral to the Mass Litigation Panel* filed in Kimber Lee Daniels, Plaintiff v. Alpha Natural Resources, Inc., et al., Defendants, Mingo County Civil Action No. 11-C-244. The renewed motion seeks to refer to the Mass Litigation Panel the *Daniels* case, the *Lester* case referenced above, and other related cases described in the motion.

The Chief Justice has determined that the motion should be denied.

IT IS, HEREBY, ORDERED, pursuant to Trial Court Rule 26.06(c)(3), that the *Plaintiffs' Renewed Motion for Referral to the Mass Litigation Panel*, filed in Kimber Lee Daniels, Plaintiff v. Alpha Natural Resources, Inc., et al., Defendants, Mingo County Civil Action No. 11-C-244, be and hereby is, denied.

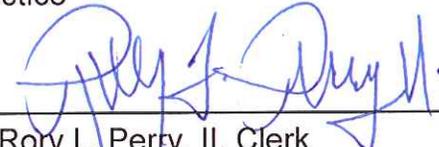
IT IS FURTHER ORDERED, that a copy of this Order be transmitted to the Honorable Alan D. Moats, Chair of the Mass Litigation Panel; to the Honorable Michael Thornsby, Judge of the Thirtieth Judicial Circuit; to the Mass Litigation Manager; and to the Circuit Clerk of Mingo County.

IT IS FURTHER ORDERED, that the Circuit Clerk of Mingo County record this Order in the Office of said Clerk and provide copies of the same to all parties of record or their counsel.

IT IS FURTHER ORDERED, that all proceedings be conducted as provided by law.

ENTERED: JUNE 14, 2012


MENIS E. KETCHUM
Chief Justice

Attest: 
Rory L. Perry, II, Clerk
Supreme Court of Appeals