



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

**IN RE: TOBACCO LITIGATION
(Individual Personal Injury Cases)**

CIVIL ACTION NO. 00-C-5000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER REQUIRING ATTORNEY TIMOTHY N. BARBER TO APPEAR

On December 14, 2017, the Mass Litigation Panel Judges assigned to the Tobacco Litigation conducted a status and scheduling conference¹, during which Plaintiffs' counsel, Timothy N. Barber, repeatedly interrupted the Panel, becoming increasingly rude, sarcastic, disrespectful and disruptive. Because Plaintiffs are represented by other counsel, and because further disruption of the Court's proceedings in this litigation will not be tolerated, the Panel **ORDERS** attorney Timothy N. Barber to appear **at 9:00 a.m. on January 19, 2018**, in the courtroom located on the first floor of the **W. Kent Carper Justice and Public Safety Complex**, 301 Virginia Street, East, Charleston, West Virginia, in order to show cause why the Court should not issue sanctions because of Mr. Barber's conduct, including:

1. That Mr. Barber shall not sit at counsel table, shall not sit in front of the bar, and shall not participate in any hearing or status conference in the Tobacco Litigation;
2. That Mr. Barber may sit in the gallery during hearings so long as he does not interrupt the Court's proceedings;
3. That Mr. Barber shall not participate in or attend any deposition or mediation session conducted in the Tobacco Litigation; and
4. That Mr. Barber shall not contact the Court, Court staff, or opposing counsel.

It is so **ORDERED**.

ENTER: December 20, 2017.

/s/ Jack Alsop
Lead Presiding Judge, Tobacco Litigation

¹ Lead Resolution Judge Booker T. Stephens was not able to attend the status conference on December 14, 2017.