ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: RECALL OF THE HONORABLE ARTHUR M. RECHT TO ACTIVE SERVICE TO CONTINUE PRESIDING IN THE TOBACCO LITIGATION AND THE FELA ASBESTOS LITIGATION, BOTH OF WHICH WERE REFERRED TO THE MASS LITIGATION PANEL, WITH SAID ASSIGNMENT TO BEGIN ON FEBRUARY 1, 2012

WHEREAS, in prior Administrative Orders entered by the Supreme Court of Appeals, the Honorable Arthur M. Recht, Judge of the First Judicial Circuit, was assigned to preside in the Tobacco Litigation (*In re: Tobacco Litigation*, Ohio County Civil Action No. 00-C-5000) and the FELA Asbestos Litigation (*In re: FELA Asbestos Cases*, Kanawha County Civil Action No. 02-C-9500), both of which were referred to the Mass Litigation Panel; and

WHEREAS, the Chief Justice of the Supreme Court of Appeals has been advised that the Honorable Arthur M. Recht, Judge of the First Judicial Circuit, will retire as a circuit judge effective January 31, 2012; and

WHEREAS, in Administrative Conference held on January 9, 2012, Judge Recht was approved for admission to Senior Status upon his retirement and the Court decided that Judge Recht, given his extensive history with the above-referenced litigation, should be recalled as a Senior Status Judge to continue presiding in both the Tobacco Litigation and the FELA Asbestos Litigation following his retirement;

IT IS, HEREBY ORDERED, effective February 1, 2012, that the Honorable Arthur M. Recht, be, and he hereby is, recalled as a Senior Status Judge to continue presiding in the Tobacco Litigation and the FELA Asbestos Litigation, both of which were referred to the Mass Litigation Panel; and

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 Arthur M. Recht, Judge of the First Judicial Circuit; to the Mass Litigation Manager; and to the Circuit Clerks of Ohio and Kanawha Counties; and

IT IS FURTHER ORDERED, that the Clerks of Ohio and Kanawha Counties record this Order in the Offices of said Clerks and provide copies of the same to all parties of record or their counsel.

ENTERED: JANUARY 12, 2012

Menis E. Ketchum

MENIS E. KETCHUM
Chief Justice