



IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: GAVIN LANDFILL LITIGATION

Civil Action No. 16-C-8000

THIS DOCUMENT APPLIES TO:

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| The Estate of Bobby Clary, by Joy Clary, Administrator v.<br>American Electric Power Co., Inc., et al.                | 14-C-101 MAS |
| The Estate of Larry Laudermilt, by Harriett Laudermilt, Administrator v.<br>American Electric Power Co., Inc., et al. | 14-C-102 MAS |
| The Estate of Larry Fred Parker, by Nancy Parker, Administrator v.<br>American Electric Power Co., Inc., et al.       | 14-C-103 MAS |
| The Estate of James Stewart, by Shawn Stewart, Administrator v.<br>American Electric Power Co., Inc., et al.          | 14-C-104 MAS |
| The Estate of Joan Wamsley, by John Wamsley, Administrator v.<br>American Electric Power Co., Inc., et al.            | 14-C-105 MAS |
| The Estate of Judith Wright, by Thomas Wright, Administrator v.<br>American Electric Power Co., Inc., et al.          | 14-C-106 MAS |
| Robert Allen v.<br>American Electric Power Co., Inc., et al.  | 14-C-107 MAS |
| Larry Angel v.<br>American Electric Power Co., Inc., et al.   | 14-C-108 MAS |
| Joseph Ball v.<br>American Electric Power Co., Inc., et al.   | 14-C-109 MAS |
| Paul Brammer v.<br>American Electric Power Co., Inc., et al.  | 14-C-110 MAS |
| Robert Bruce v.<br>American Electric Power Co., Inc., et al.  | 14-C-111 MAS |
| Ronald Campbell v.<br>American Electric Power Co., Inc., et al.   | 14-C-112 MAS |
| Anthony Cardillo v.<br>American Electric Power Co., Inc., et al.  | 14-C-113 MAS |
| David Carsey v.<br>American Electric Power Co., Inc., et al.  | 14-C-114 MAS |
| James Chapman v.<br>American Electric Power Co., Inc., et al.   | 14-C-115 MAS |

**So Ordered** Judge Swope, Derek C Aug 14, 2017

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| Rick Clary v.<br>American Electric Power Co., Inc., et al.      | 14-C-116 MAS |
| Gary Cooper v.<br>American Electric Power Co., Inc., et al.     | 14-C-117 MAS |
| Charles Ehman v.<br>American Electric Power Co., Inc., et al.   | 14-C-118 MAS |
| Robert Frazier v.<br>American Electric Power Co., Inc., et al.  | 14-C-119 MAS |
| David Jones v.<br>American Electric Power Co., Inc., et al.     | 14-C-120 MAS |
| Richard Lambe v.<br>American Electric Power Co., Inc., et al.   | 14-C-121 MAS |
| Tanya Lavender v.<br>American Electric Power Co., Inc., et al.  | 14-C-122 MAS |
| Paul McDaniel v.<br>American Electric Power Co., Inc., et al.   | 14-C-123 MAS |
| Tammy Mullens v.<br>American Electric Power Co., Inc., et al.   | 14-C-124 MAS |
| Tracey Mullens v.<br>American Electric Power Co., Inc., et al.  | 14-C-125 MAS |
| Joan Poff v.<br>American Electric Power Co., Inc., et al.       | 14-C-126 MAS |
| Don Rees v.<br>American Electric Power Co., Inc., et al.        | 14-C-127 MAS |
| Elton Ritchie v.<br>American Electric Power Co., Inc., et al.   | 14-C-128 MAS |
| Wilbur Robinson v.<br>American Electric Power Co., Inc., et al. | 14-C-129 MAS |
| Michael Shaw v.<br>American Electric Power Co., Inc., et al.    | 14-C-130 MAS |
| Chris Shaw v.<br>American Electric Power Co., Inc., et al.      | 14-C-131 MAS |

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| Iva Sisson v.<br>American Electric Power Co., Inc., et al.     | 14-C-132 MAS |
| Carolos Stepp v.<br>American Electric Power Co., Inc., et al.  | 14-C-133 MAS |
| Theron Swisher v.<br>American Electric Power Co., Inc., et al. | 14-C-134 MAS |
| Roy Taylor v.<br>American Electric Power Co., Inc., et al.     | 14-C-135 MAS |
| Paul Thomas v.<br>American Electric Power Co., Inc., et al.    | 14-C-136 MAS |
| Sharen Wamsley v.<br>American Electric Power Co., Inc., et al. | 14-C-137 MAS |
| Steven Watson v.<br>American Electric Power Co., Inc., et al.  | 14-C-138 MAS |
| Edmond Wright v.<br>American Electric Power Co., Inc., et al.  | 14-C-139 MAS |

AMENDED AND SUBSTITUTED STIPULATION OF DISMISSAL

YOU WILL PLEASE TAKE NOTICE that the undersigned parties do hereby stipulate that any and all claims asserted by Defendants and Third Party Plaintiffs, American Electric Power Co., Inc., American Electric Power Service Corporation, Ohio Power Company and Doug Workman (“AEP”) against Third Party Defendant VFL Technologies, Inc., Headwaters Resources, Inc. (“HRI”) should be and are dismissed without prejudice pursuant to Rule 41(a)(1) of the West Virginia Rules of Civil Procedure with each of these parties bearing its own attorney’s fees and other expenses.

The undersigned parties further stipulate that any and all claims which might be asserted between AEP and HRI arising out of the above captioned case in the future will be controlled by Ohio law.

*Signatures on next page*

**So Ordered** Judge Swope, Derek C Aug 14, 2017

**WE SO STIPULATE:**

**DEFENDANTS, AMERICAN ELECTRIC  
POWER COMPANY, INC., AMERICAN  
ELECTRIC POWER SERVICE  
CORPORATION, OHIO POWER  
COMPANY, and DOUG WORKMAN**

**THIRD PARTY DEFENDANT,  
HEADWATERS RESOURCES, INC. as-  
successor-in-interest-to VFL  
TECHNOLOGY CORPORATION,  
improperly identified as VFL  
TECHNOLOGY, INC.**

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This document constitutes a ruling of the court and should be treated as such.

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**/s/ Judge Swope, Derek C**