



**IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA**

**IN RE: GAVIN LANDFILL LITIGATION**

**Civil Action No. 16-C-8000**

**THIS DOCUMENT APPLIES TO ALL CASES**

**ORDER CANCELLING MEDIATION ON APRIL 27, 2017 AND APRIL 28, 2017**

The Supreme Court of Appeals of West Virginia has issued a Rule to Show Cause why a writ of prohibition should not be awarded as prayed for by the petitioners in *State of West Virginia ex rel. Appalachian Power Co., Inc., et al. v. Honorable Derek C. Swope, Lead Presiding Judge in the Gavin Landfill Litigation, Mass Litigation Panel; Joy Clary, et al.*, No. 16-1148. Rule 16(j) of the West Virginia Rules of Appellate Procedure provides that, “[u]nless otherwise provided, the issuance of a rule to show cause in prohibition stays all further proceedings in the underlying action for which an award of a writ of prohibition is sought.” Accordingly, the Resolution Judges hereby ORDER that mediation of the Gavin Landfill Litigation on April 27, 2017, and April 28, 2017, is cancelled. All deadlines set forth in the *Order Governing Mediation and Mediation Statements* (Transaction ID 60109559) are hereby VACATED. Mediation will be reconvened at another date and time to be determined by the Resolution Judges.

It is so **ORDERED**.

**ENTER:** February 23, 2017.

/s/ Booker T. Stephens  
Lead Resolution Judge  
Gavin Landfill Litigation