



IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: GAVIN LANDFILL LITIGATION

CIVIL ACTION NO. 16-C-8000

THIS DOCUMENT RELATES TO ALL CASES

ORDER REGARDING RULINGS ON AUGUST 11, 2017

On August 11, 2017, the Presiding Judges heard argument regarding *Defendants' Motion to Dismiss for Lack of Personal Jurisdiction or, in the Alternative, Pursuant to the Doctrine of Forum Non Conveniens* (Transaction ID 60883239) and issued the following rulings regarding the Gavin Landfill Litigation:

1. The parties shall have a period of 60 days from August 11, 2017, to conduct discovery specific to the issue of whether the Court has personal jurisdiction over Defendants American Electric Power Company, Inc., American Electric Power Service Corporation, and Ohio Power Company (collectively, the "AEP Defendants") including whether the Court has specific personal jurisdiction and/or general jurisdiction over the AEP Defendants.
2. Any stipulation of facts regarding whether the Court has personal jurisdiction over the AEP Defendants shall be filed and served no later than 12:00 p.m. on October 13, 2017.
3. The Court shall conduct an evidentiary hearing on the issue of whether the Court has personal jurisdiction over the AEP Defendants at 9:00 a.m. on October 23, 2017, in Courtroom Four, also known as the Ceremonial Courtroom, on the Second Floor of the Kanawha County Courthouse, at 409 Virginia Street, East, in Charleston, West Virginia.

4. The parties shall have an additional 30 days to complete their private mediation efforts. If the parties have not resolved their dispute by September 11, 2017, the Presiding Judges will request mediation of this litigation with the Resolution Judges assigned to the Gavin Landfill Litigation at the appropriate juncture.
5. Plaintiffs shall file and serve their response to *Defendant Doug Workman's Motion for Judgment on the Pleadings* (Transaction ID 60883112) no later than 5:00 p.m. Eastern Standard Time on August 25, 2017. See *Order Regarding E-filing and Service Deadlines for Responses to Motions and Replies to Responses* (Transaction ID 59075705).
6. All deadlines and requirements set forth in the Court's *Fourth Amended Case Management Order* (Transaction ID 60918386) remain in full force and effect.

It is so **ORDERED**.

ENTER: August 15, 2017.

/s/ Derek C. Swope
Lead Presiding Judge
Gavin Landfill Litigation