



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

**IN RE: MARCELLUS SHALE LITIGATION
MIDSTREAM CASES**

CIVIL ACTION NO. 14-C-3001

THIS DOCUMENT APPLIES TO THE OAK GROVE TRIAL GROUP

**Timothy Dulaney and Shirley Dulaney
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-96 MSH

**Betty J. Bird, Administratrix
of the Estate of Judith McGary
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-95 MSH

**Rickey McGary and Lisa McGary
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-97 MSH

**James Stern and Roberta Stern
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-98 MSH

**Harold S. Young and Charlene Young
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 18-C-245 MSH

THIS DOCUMENT APPLIES TO THE FORT BEELER TRIAL GROUP

**Curtis Allen and Karen Allen
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 14-C-199 MSH

**Kenneth Allen and Mary Lou Allen
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 14-C-200 MSH

**Randall Clark and Wendy Clark
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 14-C-201 MSH

**Robert Conner and Janet Conner
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 14-C-202 MSH

Robert Conner and Rosemary Conner

**v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-203 MSH**

**Ronnie Goodrich
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-204 MSH**

**Ellen Harness
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 15-C-111 MSH**

**James Marsh and Helen Marsh
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-205 MSH**

**Calvin Moninger
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-206 MSH**

**David Poling and Kimberly Poling
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 15-C-93 MSH**

**Charles Sheedy, Jr. and Tracylynn Sheedy
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-207 MSH**

**Charles Sheedy, Sr. and Debbie Sheedy
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 14-C-208 MSH**

THIS DOCUMENT APPLIES TO THE CORLEY TRIAL GROUP

**Gary Hall and Jodi Hall
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 17-C-2 MSH**

**James McKinney and Jennifer McKinney
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 17-C-2 MSH**

**Glenn Whisler and Sandra Whisler
v.
Williams Ohio Valley Midstream, LLC** **Civil Action No. 17-C-2 MSH**

Victor W. Woods, Jr. and Jessica L. Woods

**v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 17-C-238 MSH

THIS DOCUMENT APPLIES TO THE CONNOR-BERGER TRIAL GROUP:

**Robert Carnahan and LeaAnn Carnahan
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-110 MSH

**Joshua Nelson and Tracie Nelson
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-94 MSH

**Brenda Rine
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 15-C-91 MSH

THIS DOCUMENT APPLIES TO THE PINECONE TRIAL GROUP:

**James Conner and Patricia Conner
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-9 MSH

**Raymond and Carrie During
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-10 MSH

**Samuel and Denise Martin
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-12 MSH

**Thomas and Jennifer Martin
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-13 MSH

**William and Kimberly McIlvain
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-14 MSH

**Linda and James Myers
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-15 MSH

**Janet Peck
v.
Williams Ohio Valley Midstream, LLC**

Civil Action No. 16-C-16 MSH

Linda Sing
v.
Williams Ohio Valley Midstream, LLC

Civil Action No. 16-C-17 MSH

Robin Sloan
v.
Williams Ohio Valley Midstream, LLC

Civil Action No. 16-C-18 MSH

**ORDER REGARDING DEFENDANT WILLIAMS OHIO VALLEY
MIDSTREAM, LLC'S MOTION TO ENFORCE PROTECTIVE ORDER**

Pending before the Court is *Defendant Williams Ohio Valley Midstream, LLC's Motion to Enforce Protective Order* (Transaction ID 67037356). Defendant Williams Ohio Valley Midstream, LLC ("WOVM") contends that, after 3 separate requests made over a 2-month period, one of the law firms representing the Plaintiffs, Bordas & Bordas, PLLC (the "Bordas Firm"), still refuses to comply with the terms of the Protective Order entered by this Court on January 12, 2015 ("Protective Order") (Transaction ID 56588391). Mot. p. 4. In support of its motion, WOVM attaches copies of three letters to counsel for Plaintiffs at the Bordas Firm seeking compliance with the Protective Order (Exhibits 1-3), and an email message to counsel for WOVM from counsel for Plaintiffs in which attorney Christopher J. Regan states, "I assure you that we will comply with" the Protective Order, and "I apologize that you had to write a third time." Exhibit 4 (email, Christopher J. Regan to Mychal S. Schulz dated October 11, 2021).

The Bordas Firm responds that, "Defendants' suggestion that it is unsatisfied with express written assurance that Plaintiffs' counsel is complying with the Protective Order is particularly farfetched when the Protective Order itself may be satisfied by the provision of written assurance of compliance once the documents are destroyed." Resp. p. 4. The Bordas Firm also attaches a copy of the October 11, 2021 email from Christopher J. Regan to Mychal S. Schulz in support of its position. (Exhibit A).

Paragraph 11 of the Protective Order provides that, upon termination of litigation, any party that received documents designated “CONFIDENTIAL” by a party shall either (1) “[r]eturn to the providing party, through its counsel of record, all documents and information subject to this Protective Order;” or (2) “[p]rovide a written statement that all documents and information subject to this Protective Order, including all copies, prints, summaries, and other reproductions of such information, have been destroyed in a secure manner.”

Because the Bordas Firm has only given assurance that it will comply with the Protective Order, not that it has complied with the Protective Order, the Court **GRANTS** WOVM’s motion and **ORDERS** the Bordas Firm to comply with the terms of the Protective Order, including Paragraph 11, no later than November 15, 2021.

It is so **ORDERED**.

ENTERED: November 4, 2021.

/s/ Derek C. Swope
Lead Presiding Judge
Marcellus Shale Litigation
Midstream Cases