



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: MARCELLUS SHALE LITIGATION

CIVIL ACTION NO. 14-C-3000

THIS DOCUMENT APPLIES TO MULTIPLE PLAINTIFFS:

ROBERT N. BOWEN, et. al. v. Antero, et al.	Civil Action No. 14-C-286 HRR
CHAD L. RICHARDS, et al. v. Antero, et al.	Civil Action No. 15-C-179 KAN
CARLA J. SIDERS, et al. v. Antero, et al.	Civil Action No. 15-C-92 KAN
BRITTANY M. STROTHER, et al. v. Antero, et al.	Civil Action No. 15-C-93 KAN
LOREN B. STROTHER, et al. v. Antero, et al.	Civil Action No. 14-C-282 HRR
SHARON A. STROTHER, et al. v. Antero, et al.	Civil Action No. 15-C-94 KAN
DEBRA ANN UNDERWOOD v. Antero, et al.	Civil Action No. 15-C-96 KAN
RICKY LEE WATSON v. Antero, et al.	Civil Action No. 14-C-23 DOD
ROBERT G. ZWIEBEL v. Antero, et al.	Civil Action No. 14-C-280 HRR
TESLA M. ZWIEBEL v. Antero, et al.	Civil Action No. 14-C-281 HRR
ZACHARY V. ZWIEBEL v. Antero, et al.	Civil Action No. 14-C-279 HRR

**PLAINTIFFS' MOTION IN OPPOSITION TO  
DEFENDANTS' JOINT NOTICE OF EXPERT PROPERTY INSPECTIONS**

Pursuant to Rule 34 of the West Virginia Rules of Civil Procedure Plaintiffs, Robert N. Bowen, et al., by counsel, object to joint defendants' second attempt to re-enter upon plaintiffs' properties for the purpose of inspecting, measuring, surveying, photographing, testing, sampling, and conducting any and all other necessary inspections permitted within the scope of Rule 26(b) of the West Virginia Rules of Civil Procedure. (See Exhibit A., attached hereto, Defendants' Joint Notice filed December 8, 2020).

**Basis For Plaintiffs' Objection**

On May 29, 2015, defendant Antero Resources filed its first Notice of Property Inspections (See Exhibit B attached hereto). Defendants' present Joint Notice of Expert Property Inspections sets forth the same reasons for property inspections that took place previously over a period of two days: July 6 and 7, 2015.

Denied as Moot by Previous Order Judge Jack Alsop Jan 20, 2021

Defendants seek a second bite at the apple for reasons not apparent on the record and they offer no justification for subjecting plaintiffs to an identical, second round of inspections.

On Thursday, December 31, 2020, at 1:00 p.m., a Meet and Confer was held telephonically with defendants' counsel. A discussion ensued regarding the need for defendants to conduct an identical second-round of inspections of the same properties previously conducted in July of 2015.

The parties were unable to resolve their differences thereby requiring the filing of this Motion in Opposition to defendants' request.

For the reasons stated above, plaintiffs move this Court to strike defendants Joint Notice of Expert Property Inspections and prohibit them from conducting the same.

*/s/ James C. Peterson*

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