



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

**IN RE: MARCELLUS SHALE LITIGATION
WELL PAD CASES**

CIVIL ACTION NO. 14-C-3000

THIS DOCUMENT APPLIES TO:

**HALLS RUN ROAD TRIAL GROUP
(Harrison County)**

Robert N. Bowen, et al. v. Antero Resources Corporation, et al.	Civil Action No. 14-C-286 HRR
Chad L. Richards, et al. v. Antero Resources Corporation, et al.	Civil Action No. 15-C-179 KAN
Carla J. Siders, et al. v. Antero Resources Corporation, et al.	Civil Action No. 15-C-92 KAN
Brittany M. Strother v. Antero Resources Corporation, et al.	Civil Action No. 15-C-93 KAN
Loren B. Strother, et al. v. Antero Resources Corporation, et al.	Civil Action No. 14-C-282 HRR
Sharon A. Strother v. Antero Resources Corporation, et al.	Civil Action No. 15-C-94 KAN
Debra Ann Underwood v. Antero Resources Corporation, et al.	Civil Action No. 15-C-96 KAN
Ricky Lee Watson v. Antero Resources Corporation, et al.	Civil Action No. 14-C-23 DOD
Roberta G. Zwiebel v. Antero Resources Corporation, et al.	Civil Action No. 14-C-280 HRR

Tesla M. Zwiebel
v.
Antero Resources Corporation, et al.

Civil Action No. 14-C-281 HRR

Zachary V. Zwiebel
v.
Antero Resources Corporation, et al.

Civil Action No. 14-C-279 HRR

CASE MANAGEMENT ORDER

FACT DISCOVERY

FACT WITNESS DISCLOSURE DEADLINE: July 3, 2020

FACT DISCOVERY COMPLETION DEADLINE: January 8, 2021.

All responses and objections to discovery shall be completed and all motions to compel discovery shall be filed by the fact discovery completion deadline. The fact discovery completion deadline established in this scheduling order does not excuse failure to comply with the provisions of Rule 26(e) requiring supplementation of responses to discovery.

EXPERT DISCOVERY

Any party desiring to use an expert witness shall furnish opposing counsel with the specialty of such expert and copies of all reports submitted by such witness, or, if no reports have been submitted, a summary of the substance of such expert's contemplated testimony, in accordance with WVRCP 26(b)(4). If the name, reports or 26(b)(4) material are not timely provided, a motion to continue, motion to exclude, or other sanction motion on this basis will not be considered unless opposing counsel has filed such motion prior to the pretrial conference.

PLAINTIFFS' EXPERT WITNESS REPORTS ARE DUE: January 8, 2021

DEFENDANTS' EXPERT WITNESS REPORTS ARE DUE: March 5, 2021

EXPERT DISCOVERY COMPLETION DEADLINE: April 30, 2021

ALL DISCOVERY IS CLOSED: April 30, 2021

MEDIATION: Mediation will be conducted in **mid to late May 2021**. A separate Order scheduling mediation will be entered by the Resolution Judges.

DISPOSITIVE MOTIONS

DEADLINE FOR DISPOSITIVE MOTIONS: **May 21, 2021**

DEADLINE FOR RESPONSES TO DISPOSITIVE MOTIONS: **June 4, 2021**

DEADLINE FOR REPLIES TO DISPOSITIVE MOTIONS: **June 11, 2021**

If a discovery deposition is scheduled within 30 days of the close of discovery, counsel shall request an expedited copy of the transcript of such deposition. The Court will not permit supplementation of dispositive motions or responses to dispositive motions with deposition testimony received after the briefing deadlines set forth above.

MOTIONS IN LIMINE

Pursuant to West Virginia Rule of Evidence 103(c), all motions in limine should be determined prior to trial, where practicable. The Presiding Judges will not consider motions in limine on the day of trial without good cause shown.

DEADLINE FOR FILING MOTIONS IN LIMINE: **May 21, 2021**

DEADLINE FOR RESPONSES TO MOTIONS IN LIMINE: **June 4, 2021**

DEADLINE FOR REPLIES TO MOTIONS IN LIMINE: **June 11, 2021**

HEARING ON DISPOSITIVE MOTIONS AND MOTIONS IN LIMINE: during the pretrial conference at **10:00 a.m. on June 25, 2021**.

JOINT PROPOSED VOIR DIRE, JOINT PROPOSED JURY INSTRUCTIONS, AND

JOINT PROPOSED VERDICT FORM: The Parties shall electronically file and serve their joint proposed voir dire, joint proposed jury instructions, and joint proposed verdict form in **Rich Text Format** on the Presiding Judges and the Mass Litigation Manager **on May 21, 2021**.

EXHIBITS, WITNESS LISTS, AND DEPOSITION DESIGNATIONS EXCHANGED:

May 21, 2021

Parties shall exchange full and complete copies of all exhibits intended to be introduced into evidence at trial and all deposition designations. All exhibits shall be pre-marked. Witness lists shall be bona fide lists of intended trial witnesses and any recently discovered fact or condition witnesses. Names of witnesses shall be specified and shall include contact information for each witness and a statement of intended testimony. Unnamed/unlisted witness reservations are not authorized.

OBJECTIONS TO EXHIBITS, WITNESSES AND DEPOSITION DESIGNATIONS

EXCHANGED: May 28, 2021

All parties shall meet and confer **no later than June 4, 2021**, to resolve objections to witnesses, exhibits and deposition designations.

PRETRIAL CONFERENCE MEMORANDA:

All parties shall exchange their pretrial conference memoranda, and deliver their pretrial conference memoranda to the Presiding Judges and the Mass Litigation Manager **on June 11, 2021**. The pretrial conference memoranda shall contain the following:

- a. Statement of the Case
- b. Issues of Fact
- c. Issues of Law
- d. Proposed Stipulations
- e. Specific Schedule of Exhibits (NO reservations authorized)
- f. Specific List of Witnesses (NO reservations authorized)
- g. List of Pending Motions, including Dispositive Motions and Motions *in Limine*
- h. Unresolved Objections to Witnesses, Exhibits and Deposition Designations.

PRETRIAL CONFERENCE: 10:00 a.m. on June 25, 2021.

TRIAL: 9:00 a.m. on July 19, 2021. The Court has allotted two weeks for the trial of this group of cases.

MODIFICATION: The dates and requirements of this Case Management Order are **FINAL**. No additional evidence developed as a result of deviations from this Case Management Order will be admissible at trial. This Case Management Order shall not be modified, except by leave of the Court.

SANCTIONS: In accordance with WVRCP 16(f), the Court will impose the full spectrum of sanctions authorized by the WVRCP if a party or party's counsel fails to obey this order or other orders of this Court.

A copy of this Order has this day been electronically served on all counsel of record via File & Serve*Xpress*.

It is to **ORDERED**.

ENTER: June 10, 2020.

/s/ Jack Alsop
Lead Presiding Judge
Marcellus Shale Litigation
Well Pad Cases