



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 LUMBERPORT BOOSTER STATION TRIAL GROUP

Lawrence Curry and Linda Curry
v.
DTE Appalachia Gathering, LLC,
f/k/a M3 Appalachia Gathering, LLC

Civil Action No. 16-C-434 HRR

William R. Hurst and Brenda Hurst,
v.
DTE Appalachia Gathering, LLC,
f/k/a M3 Appalachia Gathering, LLC

Civil Action No. 17-C-155 HRR

PARTIES' AGREED SECOND AMENDED CASE MANAGEMENT ORDER

FACT DISCOVERY COMPLETION DEADLINE: July 1, 2020

DEFENDANT'S EXPERT WITNESS REPORTS ARE DUE: July 1, 2020

EXPERT DISCOVERY COMPLETION DEADLINE: July 15, 2020

ALL DISCOVERY IS CLOSED: July 15, 2020

MEDIATION: Mediation will be conducted on **July 23-24, 2020**, as ordered by the Resolution Judges. *Order Governing Mediation and Mediation Statements entered May 21, 2020* (Transaction ID 65650296).

DEADLINE FOR DISPOSITIVE MOTIONS: September 4, 2020

DEADLINES FOR RESPONSES TO DISPOSITIVE MOTIONS: September 18, 2020

DEADLINES FOR REPLIES TO DISPOSITIVE MOTIONS: September 25, 2020

DEADLINE FOR FILING MOTIONS IN LIMINE: September 4, 2020

DEADLINES FOR RESPONSES TO MOTIONS IN LIMINE: September 18, 2020

DEADLINES FOR REPLIES TO MOTIONS IN LIMINE: September 25, 2020

JOINT PROPOSED VOIR DIRE, JOINT PROPOSED JURY INSTRUCTIONS, AND JOINT PROPOSED VERDICT FORM: October 2, 2020

EXHIBITS, WITNESS LISTS, AND DEPOSITION DESIGNATIONS EXCHANGED: September 18, 2020

OBJECTIONS TO EXHIBITS, WITNESSES AND DEPOSITION DESIGNATIONS EXCHANGED: September 25, 2020

PRETRIAL CONFERENCE MEMORANDA DELIVERED: October 2, 2020

The parties stipulate and agree that all disclosures, motions, responses, and replies required under the Parties' Agreed Second Amended Case Management Order will be e-mailed to opposing counsel in addition to service permitted under the West Virginia Rules of Civil Procedure in recognition of the condensed deadlines agreed to by the parties.

All other aspects of the Case Management Orders previously entered in the Lumberport Booster Station Trial Group that are not explicitly addressed above, including the dates of Hearing on Dispositive Motions and Motions *in Limine* (10:00 a.m. on October 16, 2020), Pretrial Conference (10:00 a.m. on October 16, 2020), and Trial (9:00a.m. on November 16, 2020), remain in effect.

It is so **ORDERED**.

ENTER: June 1, 2020

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