



**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 PINECONE TRIAL GROUP:**

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

Civil Action No. 16-C-9 MSH

Raymond and Carrie Durig  
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 APPROVING SPECIAL JUROR QUESTIONNAIRE**

The Presiding Judges have reviewed and considered Plaintiffs' proposed *Juror Questionnaire* (Transaction ID 64228678) filed on September 20, 2019, and *Defendant Williams Ohio Valley Midstream, LLC's Objections to Plaintiffs' Proposed Juror Questionnaire* (Transaction ID 64248617) filed on September 27, 2019. The Court hereby approves the Special Juror Questionnaire attached to this Order and **ORDERS** said questionnaire to be used for the trial of the Pinecone Trial Group scheduled to begin on October 28, 2019.

It is so **ORDERED**.

**ENTERED:** September 27, 2019.

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

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**SPECIAL JUROR QUESTIONNAIRE**

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The integrity of our legal system depends on the fairness and impartiality of jurors. This questionnaire has been approved by the Court, and it is to be filled out by each prospective juror in this case. It is designed to save time and assist the Court and the parties in selecting fair and impartial jurors for the trial.

**PLEASE WRITE YOUR ANSWERS YOURSELF, WITHOUT CONSULTING ANY OTHER PERSON. YOU SHOULD NOT TALK ABOUT THESE QUESTIONS WITH ANY OTHER PROSPECTIVE JURORS.**

**PLEASE PRINT ANSWERS CLEARLY IN BLUE INK. YOUR ANSWERS MUST BE COMPLETE AND ACCURATE. YOU ARE UNDER OATH AND REQUIRED TO ANSWER THE QUESTIONS TRUTHFULLY.**

The questions asked in the Questionnaire could be asked in open Court. You are given more privacy by answering them in the Questionnaire. The Court recognizes that some of the questions on the Questionnaire are personal. Your answers will only be seen by the attorneys and the parties in this case and your answers will be kept confidential. The Questionnaires will be destroyed at the end of the case.

The attorneys may ask you follow-up questions later to better understand your answers. You will not be asked in front of other prospective jurors about anything that is personal or could be embarrassing to you. If a question calls for information you do not want to discuss publicly, write "private" in the answer space, and you will be provided an opportunity to speak with the Judges and the attorneys about the question outside the presence of the other prospective jurors.

Please read each question carefully and answer each question completely.

**DO NOT WRITE ON THE BACK OF ANY PAGES. IF YOU NEED MORE ROOM TO RESPOND TO A QUESTION, PLEASE USE THE LAST PAGE.**

Please **PRINT** all answers clearly.

1. Name: \_\_\_\_\_

Maiden name, if applicable: \_\_\_\_\_

2. Age: \_\_\_\_\_

3. Place of birth: \_\_\_\_\_

4. Address where you currently live: \_\_\_\_\_

You own \_\_\_\_\_

You rent \_\_\_\_\_

You live with family/friends \_\_\_\_\_

5. How long have you lived at this address? \_\_\_\_\_

6. Where did you live before this? \_\_\_\_\_

7. With whom do you live, if anyone? \_\_\_\_\_

8. Marital status:

- Single and never married \_\_\_\_\_
- Currently married for \_\_\_\_\_ # of years
- Divorced \_\_\_\_\_
- Widow/Widower \_\_\_\_\_

9. Educational background: What is the highest level of education you have completed?

- \_\_\_\_\_ less than 8<sup>th</sup> grade
- \_\_\_\_\_ more than 8<sup>th</sup> grade, but no high school diploma
- \_\_\_\_\_ high school diploma
- \_\_\_\_\_ technical, business or two-year degree
- \_\_\_\_\_ some college, but no degree
- \_\_\_\_\_ four-year college degree
- \_\_\_\_\_ post graduate work or degree

10. Please list the school(s) and degree(s) you have from any technical school, vocational school, college or university attended:

School	Major area of study	Date and degree/certificate
_____	_____	_____
_____	_____	_____

11. Please list any special training or skills you have: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. What is your current job status? Please check the most appropriate answer

- \_\_\_\_\_ working full time
- \_\_\_\_\_ homemaker
- \_\_\_\_\_ working part time
- \_\_\_\_\_ retired
- \_\_\_\_\_ full time student
- \_\_\_\_\_ unemployed

13. What is/was your occupation and/or type of business and/or job responsibilities? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. Please list your last four employers:

<b>Name of employer</b>	<b>City and State</b>
_____	_____
_____	_____
_____	_____
_____	_____

15. Do you or your spouse/former spouse/significant other belong to a union or have you or your spouse/former spouse/significant other ever belonged to a union?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which union(s): \_\_\_\_\_

If yes, what type of union activities have you participated in, if any? \_\_\_\_\_

16. What is or was the occupation of your spouse/former spouse/significant other? \_\_\_\_\_

Please identify your spouse's/former spouse's/significant other's employer: \_\_\_\_\_

Please explain what his or her job duties are/were: \_\_\_\_\_

17. Do you have any children? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, list the following:

<b>Name</b>	<b>Age</b>	<b>Occupation</b>	<b>Where they live</b>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

18. Have you, any family member or close friend ever worked in the legal field? For example, a lawyer, judge, paralegal, federal or state prosecutor's office, public defender's office, etc.

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

19. Have you ever owned your own business? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please answer the following questions:

Juror Name \_\_\_\_\_

What type of business? \_\_\_\_\_

How long did you own your business? \_\_\_\_\_

Where is/was your business located? \_\_\_\_\_

20. Have you ever written a letter to the editor of a newspaper, professional journal or to any type of public figure? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

21. List social clubs, civic, professional, religious organizations, environmental organizations, or activist-type groups to which you belong:

\_\_\_\_\_  
\_\_\_\_\_

22. Have you ever served on a jury before? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please answer the following:

What type of case? Civil Case \_\_\_\_\_ Criminal Case \_\_\_\_\_

Did the jury reach a verdict? Yes \_\_\_\_\_ No \_\_\_\_\_

How did you feel about your jury experience? \_\_\_\_\_

When did you serve on a jury? \_\_\_\_\_

23. Have you, a family member or close friend ever sued anyone or been sued in our court system?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If yes, were you satisfied with the outcome? Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

24. Do you know any of the potential witnesses listed below? If so, please check the line next to their names and briefly explain the basis of your knowledge, i.e., family relationship, business relationship, friendship, school, word of mouth, in the space below for each potential witness checked.

- \_\_\_\_\_ James Connor
- \_\_\_\_\_ Patricia Connor
- \_\_\_\_\_ Raymond Durig
- \_\_\_\_\_ Carrie Durig
- \_\_\_\_\_ Samuel Martin
- \_\_\_\_\_ Denise Martin
- \_\_\_\_\_ Thomas Martin
- \_\_\_\_\_ Jennifer Martin
- \_\_\_\_\_ William McIlvain
- \_\_\_\_\_ Kimberly McIlvain
- \_\_\_\_\_ Linda Myers
- \_\_\_\_\_ James Myers
- \_\_\_\_\_ Janet Peck
- \_\_\_\_\_ Linda Sing
- \_\_\_\_\_ Robyn Sloan
- \_\_\_\_\_ Stephen Furbacher
- \_\_\_\_\_ Michael Dinsel
- \_\_\_\_\_ Dean Dawson
- \_\_\_\_\_ Angela Richmond
- \_\_\_\_\_ Diane McCormick
- \_\_\_\_\_ Dolores Young
- \_\_\_\_\_ Kayla Clayton
- \_\_\_\_\_ Joseph Gonchoff
- \_\_\_\_\_ Mike Hill
- \_\_\_\_\_ Yvonne Hill
- \_\_\_\_\_ Madeline Brown
- \_\_\_\_\_ Thomas Martin, Jr.
- \_\_\_\_\_ Jessica Martin
- \_\_\_\_\_ Megan Martin
- \_\_\_\_\_ Richard Clark
- \_\_\_\_\_ Tammy Shook
- \_\_\_\_\_ Eddie Shook
- \_\_\_\_\_ Roger Losh
- \_\_\_\_\_ Terri Travis

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25. Are you currently or have you previously been represented by any member of the law firm of Bordas & Bordas, PLLC or any member of the law firm of Babst Calland, PC?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26. Have you heard or read any advertisement by these law firms that would suggest they only take certain types of cases or represent a certain type of client? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

27. Have you ever read, saw, heard or learned anything about any private nuisance cases that caused you to form a belief about those types of cases, the kinds of people who bring them, or the lawyers involved? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

28. How do you feel about lawsuits against oil and gas companies? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

29. Do you work, or have you worked for Williams Ohio Valley Midstream, LLC?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_

30. Do you have immediate family members or close friends who work for, or have worked for the law firm of Bordas & Bordas, PLLC or the law firm of Babst Calland, PC?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

31. Do you know or have a social relationship with anyone who works, or has worked at Williams Ohio Valley Midstream, LLC? For example, do you belong to any clubs with them or go to the same church?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

32. Have you or have any members of your immediate family ever had a job in the oil and gas industry?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

33. How do you feel about the way civil lawsuits affect this community?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

34. Do you have a favorable or unfavorable opinion of Williams Ohio Valley Midstream, LLC?

Favorable \_\_\_\_\_ Unfavorable \_\_\_\_\_ Neutral \_\_\_\_\_

If favorable or unfavorable, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

35. Do you feel that it is impossible to place a money value on annoyance, inconvenience and loss of quiet enjoyment of property caused to a person by someone else's activities?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

36. Do you belong to any group or organization that advocates for or against tort reform?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

37. Are you a member of the local Chamber of Commerce?

Yes \_\_\_\_\_ No \_\_\_\_\_

38. Have you read or heard anything that leads you to believe that there is a crisis in this country because of the size of jury verdicts?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

39. Have you received any brochures or pamphlets in the mail that talk about the size of jury verdicts?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

40. Do you have any feeling that you are personally, financially affected by large jury verdicts?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

41. Assuming you find the defendant liable, will you be able to disregard any possible effect that your verdict in this case might have and provide the plaintiffs with fair and just compensation for any losses they have experienced?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

42. Have you ever been hurt in a way where you believed that you were entitled to compensation, but for whatever reason, you were not fully compensated?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

43. Do you know of any reason why you should not sit as a fair and impartial juror in this case?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

44. Do you feel that there are too many lawyers and too many lawsuits in this country?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

45. Do you believe that just because a lawyer files suit against a corporation the corporation must have done something wrong and should be required to pay damages or money?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

46. If you are a juror in this case, you will have some rights. It is extremely important that you understand these rights and that you will exercise them as often as the need arises. First, you have the right to hear all testimony. If you are unable to hear a witness's testimony, do you feel comfortable raising your hand and telling the judge that you were unable to hear the testimony?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

47. If you are a juror in this case, you also have the right to understand the law. If during your deliberations, jurors cannot agree on what the law as they have been instructed is, will you be comfortable asking the judge to re-read the instruction over which there is disagreement rather than trying to decide it among yourselves?

Juror Name \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

48. Is there anything in your background, readings, or beliefs we have not covered that would prevent you from being an impartial juror in this case, if you were selected to serve on the jury?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

49. If you ran out of space on any previous questions, please use this space to complete those answers. Please begin by noting the question number.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I declare under penalty of perjury that the foregoing answers to each question are true and correct to the best of my knowledge and belief.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Your Name Here