



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: MARCELLUS SHALE LITIGATION

CIVIL ACTION NO. 14-C-3000

THIS DOCUMENT APPLIES TO:

JOHN V. BARBINA, et al. v. Antero, et al.	Civil Action No. 15-C-187 KAN
WILLIAM W. BOWYER, et al. v. Antero, et al.	Civil Action No. 15-C-30 KAN
JAMES R. BUNCH, et al. v. Antero, et al.	Civil Action No. 15-C-175 KAN
KEITH GAINES, et al. v. Antero, et al.	Civil Action No. 15-C-183 KAN
JAMES A. REICH, et al. v. Antero, et al.	Civil Action No. 15-C-235 KAN

ORDER

Pending before the Court are *Plaintiffs' Motion for Voluntary Dismissal* without prejudice (Transaction ID 66339151) and *Motion for Protective Order* (Transaction ID 66339162) filed in the above-captioned cases on February 14, 2021. Plaintiffs move to dismiss the claims of Plaintiffs John V. Barbina, William W. Bowyer, Clista Bunch, James Bunch, Tyler Corley, Keith Gaines and Lisa Gaines without prejudice, and for a protective order cancelling the previously noticed party depositions of those Plaintiffs, scheduled to occur the weeks of February 15, 2021, and February 23, 2021.

Having reviewed the motions and *Defendants' Response in Opposition to Plaintiffs' Motion for Voluntary Dismissal and Motion for Protective Order* (Transaction ID 66341790) filed on February 16, 2021, the Court finds that Defendants would be unfairly prejudiced if Plaintiffs are permitted to dismiss their claims without prejudice, judicial economy requires Plaintiffs' claims to be resolved in the current litigation and resolving Plaintiffs' claims in the current litigation will prevent inconsistent verdicts. Therefore, the Court **DENIES** Plaintiffs' motions and **ORDERS** the parties to proceed with the litigation.

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

It is so **ORDERED**.

ENTERED: February 18, 2021.

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