



**IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA**

**IN RE: MARCELLUS SHALE LITIGATION CIVIL ACTION NO. 14-C-3000**

**THIS DOCUMENT APPLIES TO ALL CASES**

**AGREED ORDER TO JOIN IN EXISTING MASS LITIGATION**

Pursuant to the Mass Litigation Panel's oral directive at the hearing held on December 9, 2016, the parties to this Agreed Order, by counsel, submit this Agreed Order to join the following additional civil actions in In re: Marcellus Shale Litigation, Civil Action No. 14-C-3000:

1. Mark and Carolyn Tennant, et al. v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-39 (Marshall County)
2. Richard E. Vargo, et al. v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-42 (Marshall County)
3. James and Patricia Connor v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-9 (Marshall County)
4. Raymond and Carrie Durig v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-10 (Marshall County)
5. Robert and Brittany Lemasters v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-11 (Marshall County)
6. Samuel and Denise Martin v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-12 (Marshall County)
7. Thomas and Jennifer Martin v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-13 (Marshall County)
8. William and Kimberly McIlvain v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-14 (Marshall County)
9. Linda and James Myers v. William Ohio Valley Midstream, LLC  
Civil Action No. 16-C-15 (Marshall County)
10. Janet Peck v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-16 (Marshall County)

11. Linda Sing v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-17 (Marshall County)
12. Robin Sloan v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-18 (Marshall County)
13. James and Roberta Stern v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 16-C-98 (Marshall County)
14. Kevin Gornik v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 14-C-160 (Marshall County)
15. Glenn Whisler, et al. v. Williams Ohio Valley Midstream, LLC  
Civil Action No. 17-C-2 (Marshall County)
16. Randall and Wendy Clark v. Williams Ohio Valley Midstream, LLC.  
Civil Action No. 14-C-201 (Marshall County).

Having reviewed the Administrative Order of the West Virginia Supreme Court of Appeals dated November 12, 2014; the issues presented in the Marcellus Shale Litigation against midstream entities and facilities; and the issues presented in the above style action, and with the advice and consent of the Panel, the Court **ORDERS** the above-referenced civil actions joined with In re: Marcellus Shale Litigation, Civil Action No. 14-C-3000, pending in the Circuit Court of Ohio County, West Virginia. The Panel notes and preserves the objections of any party aggrieved by this Order.

The paper court files for the above-referenced civil actions shall remain in the circuit court where the civil actions originated until further order of the Panel.

The above-referenced civil actions are designated for electronic filing and service, effective **February 21, 2017**, as provided in West Virginia Trial Court Rule 15.01, *et seq.* To facilitate electronic filing and service each civil action number will include the three-letter county identifier of the county where the civil action originated. For example, the civil action

number of James and Patricia Connor v. Williams Ohio Valley Midstream, LLC will now read Civil Action No. 16-C-9 MSH.

The Clerk of the Ohio County Circuit Court is ORDERED to send a certified copy of this Order to the Clerk of the Marshall County Circuit Court for service on all affected judges and all parties in the above-reference civil actions. The Chair of the Mass Litigation Panel and all parties to In re: Marcellus Shale Litigation, Civil Action No. 14-C-3000, shall be served with this Order electronically.

It is so **ORDERED**.

**ENTER:** February 7, 2017.

/s/ Alan D. Moats  
Lead Presiding Judge  
Marcellus Shale Litigation

Prepared by:

/s/ Mychal Sommer Schulz  
Mychal Sommer Schulz (WVSB #6092)  
Matthew S. Casto (WVSB #8174)  
Babst Calland  
300 Summers Street, Suite 1000  
Charleston, WV 25301

Seen and Agreed:

/s/ Jeremy Matthew McGraw  
Jeremy Matthew McGraw (WVSB # 10325)  
Bordas & Bordas, PLLC  
1358 National Road  
Wheeling, WV 26003

Seen and agreed:

/s/ Eric M. Gordon  
Eric M. Gordon (WVSB #6897)  
Berry Kessler Crutchfield Taylor & Gordon  
514 7<sup>th</sup> Street  
Moundsville, WV 26041

and

Robert J. Fitzsimmons (WVSB #9656)  
Fitzsimmons Law Firm, PLLC  
1609 Warwood Ave.  
Wheeling, WV 26003