



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: MINGO COUNTY COAL
SLURRY LITIGATION

CIVIL ACTION NO.: 10-C-5000

THIS DOCUMENT APPLIES TO:

Rawl Sales & Processing Co., et al.
v.
AIG Casualty Company, et al.

Civil Action No.: 06-C-520 MNG
Insurance Coverage Action

**ORDER DISMISSING CLAIMS AGAINST THIRD-PARTY DEFENDANT
ONEBEACON AMERICA INSURANCE COMPANY**

The Court hereby dismisses, with prejudice, all claims brought by Third-Party Plaintiffs Rawl Sales & Processing Co. and Massey Energy Company, n/k/a Alpha Appalachia Holdings, Inc. (collectively "Massey"), in its Second Amended Third-Party Complaint against Third-Party Defendant OneBeacon America Insurance Company p/k/a Commercial Union Insurance Company (hereinafter "OneBeacon") on the grounds that such claims have been settled, compromised and resolved.

It is ORDERED that any and all Counterclaims and/or Cross-Claims filed by OneBeacon in this action against Massey and/or any other party, are dismissed with prejudice.

It is further ORDERED that any and all cross-claims filed by any other Third-Party Defendant against OneBeacon are dismissed with prejudice.

Accordingly, it is ORDERED that the claims referenced above are dismissed with prejudice. Each party will bear its own attorneys' fees and costs.

ENTER: February 18, 2014

/s/ James P. Mazzone
Lead Presiding Judge,
Mingo County Coal Slurry Litigation