

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**IN RE: MOTION TO REFER ASBESTOS LITIGATION TO THE MASS LITIGATION
PANEL**

WHEREAS, pursuant to Rule 26.01 of the West Virginia Trial Court Rules, the Chief Justice has received a motion filed in the Circuit Court of Kanawha County, West Virginia, In re ASBESTOS LITIGATION, Civil Action No. 00-Misc.-222 to refer to the Mass Litigation Panel certain litigation pending before several of the circuit courts of the State; and

WHEREAS, the Motion appears to be in substantial compliance with Rule 26.01 of the West Virginia Trial Court Rules; and

WHEREAS, it appears that various and certain parties have filed memoranda in opposition to the Motion and the Chief Justice has reviewed such grounds raised in opposition to the motion which matters require further consideration; and

WHEREAS, the Chief Justice has determined that such matters may require a hearing to receive evidence and entertain arguments by the parties or any judge;

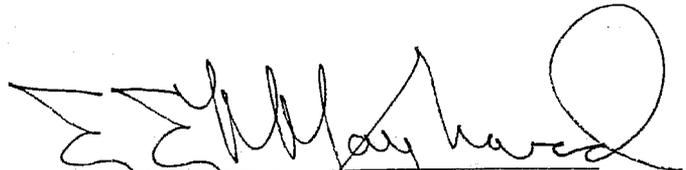
WHEREAS, the Chief Justice has determined that the twenty (20) day time period set forth in the Trial Court Rules may not be sufficient time for the parties or any judge to properly prepare for and the designated Panel member to consider the number of matters raised by the parties related to the motion;

IT IS NOW THEREFORE ORDERED that the Honorable John A. Hutchison, a member of the Panel, is hereby designated to hold a prompt hearing to receive evidence and to entertain arguments by the parties or any judge in favor of or in opposition to the motion and any matters related thereto and he shall submit findings of fact and a recommendation to the Chief Justice FORTHWITH

IT IS FURTHER ORDERED that a copy of this ORDER be transmitted to lead counsel for the parties from whom the Chief Justice has received pleadings addressing this Motion, to the Mass Litigation Panel, and to the Clerk of the Circuit Court of Kanawha County to provide copies of same to counsel of record ;

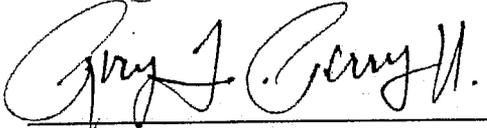
IT IS FURTHER ORDERED that all proceedings in the transferred asbestos related cases be conducted as provided by law.

Enter this 29th day of August 2000.



**ELLIOTT E. MAYNARD
CHIEF JUSTICE**

ATTEST:



**RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS**