

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

RE: MOTION TO REFER TO THE MASS LITIGATION PANEL THE FOLLOWING MARSHALL COUNTY CASES:

ERNIE LEE ANDERSON, ET AL. VS. COLUMBIAN CHEMICALS COMPANY, ET AL.,  
CASE NO. 09-C-220K;

DENNIS F. MOORE AND JOLENE MOORE VS. COLUMBIAN CHEMICALS  
COMPANY., ET AL., CASE NO. 10-C-146K;

BRIAN ANDERSON, ET AL. V. RAIN CII CARBON LLC, ET AL., CASE NO. 11-C-152K; AND

AMANDA ANDERSON, ET AL. V. COLUMBIAN CHEMICALS COMPANY, ET AL.,  
CASE NO. 11-C-153K

WHEREAS, pursuant to Rule 26.06 of the West Virginia Trial Court Rules, the Chief Justice has received a motion filed in the Circuit Court of Marshall County, West Virginia, to refer the above-styled proceedings to the Mass Litigation Panel; and

WHEREAS, the Motion appears to be in substantial compliance with Rule 26.06 of the West Virginia Trial Court Rules; and

WHEREAS, the time for litigants, attorneys and affected judges to respond has expired, and the Chief Justice has reviewed the motion and responses thereto; and

WHEREAS, the Chief Justice has determined that such Motion to Refer should be denied;

IT IS, HEREBY, ORDERED, pursuant to Trial Court Rule 26.06(c)(3), that the Motion to Refer the above-styled cases to the Mass Litigation Panel be, and hereby is, denied; and

IT IS FURTHER ORDERED, that a copy of this Order be transmitted to the Honorable Alan D. Moats, Chair of the Mass Litigation Panel; to the Honorable Mark A. Karl, Judge of the Second Judicial Circuit; to the Mass Litigation Manager; and to the Circuit Clerk of Marshall County; and

IT IS FURTHER ORDERED, that the Circuit Clerk of Marshall County record this Order and serve copies on all parties of record or their counsel; and

IT IS FURTHER ORDERED, that all proceedings be conducted as provided by law.

ENTERED: MARCH 15, 2012

  
MENIS E. KETCHUM  
Chief Justice

Attest:   
Rory L. Perry, II, Clerk  
Supreme Court of Appeals