



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

**IN RE: MOUNTAIN STATE UNIVERSITY LITIGATION Civil Action No. 12-C-9000**

**THIS DOCUMENT APPLIES TO ALL CASES**

**SECOND ORDER GOVERNING MEDIATION**

By prior order, the Resolution Judges scheduled mediation of the Mountain State University Litigation on **August 26, 27, and 28, 2013**, at the Charleston Civic Center. (TID 52489309) The Resolution Judges have determined that individual Plaintiffs will be required to attend mediation in person only on August 26, 2013, provided that each Plaintiff has executed an authorization giving **full authority** to their attorney to act on their behalf, including full authority to negotiate settlement of their case, and to respond to developments during the mediation process. A copy of each Plaintiff's executed authorization shall be delivered to the office of Mass Litigation Manager Kimberley R. Fields for receipt by no later than **August 5, 2013**.

If a Plaintiff cannot attend mediation on August 26, 2013, the Plaintiff must request permission from the Resolution Judges to be excused for good cause shown. The request for excusal must state the basis for the request, and must be delivered to the offices of Lead Resolution Judge Booker T. Stephens, Resolution Judge Jay M. Hoke, Resolution Judge David W. Hummel, Jr., and Mass Litigation Manager Kimberley R. Fields for receipt by no later than **August 5, 2013**. No request for excusal will be granted if the Plaintiff has not provided a copy of an executed authorization giving **full authority** to their attorney to act on their behalf, including full authority to negotiate settlement of their case, and to respond to developments during the mediation process.

By no later than **June 25, 2013**, Liaison Counsel for Plaintiffs shall submit to the Mass Litigation Manager a Plaintiff sign in sheet in Excel spreadsheet format containing the name and

civil action number of each Plaintiff in the Mountain State University Litigation, with spaces on the sign in sheet for the Plaintiff to print his or her name and sign his or her name. The Plaintiff sign in sheet shall also contain a space for confirmation the Plaintiff has produced proof of identification; a space for confirmation the Plaintiff has provided a copy of his or her authorization; and a space to show whether or not the Plaintiff has been excused from attending mediation on August 26, 2013, for good cause shown.

It is so ORDERED.

ENTER: June 18, 2013

/s/ Booker T. Stephens  
Lead Resolution Judge  
Mountain State University Litigation