



IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

IN RE: RALEIGH HEART CLINIC LITIGATION CIVIL ACTION NO. 18-C-5000

THIS DOCUMENT APPLIES TO:

**R.W. v. RHC, et al.
R.T. v. RHC, et al.**

**Civil Action No. 18-C-141 RAL
Civil Action No. 17-C-753 RAL**

**ORDER GRANTING MOTION TO WITHDRAW
AS COUNSEL FOR PLAINTIFF**

On the 6th day of December 2019 came Stephen P. New, Amanda J. Taylor, and The Law Office of Stephen P. New, and pursuant to Rule 4.03(b) and 26.04(f) of the West Virginia Trial Court Rules moved this Honorable Court for leave to withdraw as counsel for Plaintiffs in the above-captioned matters. Plaintiffs were provided notice of the hearing at their last known address, their names were called three times by the bailiff, and it was found that Plaintiffs did not appear.

The Court has reviewed the Motion to Withdraw as Counsel. After careful review of the written submissions of the parties, oral arguments and analysis of the applicable law, the Court finds that the *Motion to Withdraw as Counsel for Plaintiff* (Transaction ID 64319671) filed in the above-styled cases should be **GRANTED**.

WHEREFORE, the Court does hereby **ORDER, ADJUDGE, AND DECREE** that Plaintiffs' counsel is relieved of representation in this matter. The Court does further **ORDER, ADJUDGE, and DECREE** that all further filings shall be served upon R.W. at P.O. Box 174, Princeton, WV 24740 and upon R.T. at 150 Autumn Lane, Apt. 76, Beckley, WV 25801.

The objections and exceptions of any party aggrieved by this Order are expressly reserved unto them.

Within thirty (30) days from the entry of this Order, Plaintiffs R.W. and R.T. shall notify Kim Fields, the Mass Litigation Manager, by telephone: (304) 340-3991, or by email message: kim.fields@courtswv.gov, whether they have retained new counsel, will proceed *pro se*, or they

intend to dismiss their civil action. If Plaintiffs do not comply with this Order by contacting Kim Fields within 30 days of entry of the Order, Plaintiffs' cases may be subject to default and may be dismissed by the Court. The Court **ORDERS** Plaintiffs R.W. and R.T. to appear in person or through new counsel at **1:00 p.m. on January 16, 2020**, in Courtroom Four, also known as the Ceremonial Courtroom, on the second floor of the Kanawha County Courthouse, located at 409 Virginia Street, East, in Charleston, West Virginia, to report to the Court whether they intend to proceed with their civil actions.

A copy of this Order is this day served electronically on all counsel of record in the above-styled cases via the File & Serv*Xpress* system. The Clerk is directed to sent a certified copy of this Order to R.W. and R.T. at the addresses set forth herein.

It is so **ORDERED**.

ENTERED: December 9, 2019.

/s/ Jay M. Hoke
Lead Presiding Judge
Raleigh Heart Clinic Litigation