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IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION
(INDIVIDUAL PERSONAL INJURY CASES)

CIVIL ACTION NO. 00-C-5000
(Judge Arthur M. Recht)

THIS DOCUMENT APPLIES TO:

Billie J. Akers v. Philip Morris USA Inc., et al.	Civil Action No. 98-C-2696 OHI
Philip Berry v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0958 OHI
Gary Botkins v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0420 OHI
Ruth Brock v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0985 OHI
Carl Clayton v. Philip Morris USA Inc., et al.	Civil Action No. 98-C-2348 OHI
John Edward King v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0650 OHI
Lila McGee v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-1228 OHI
Roger Mitchem v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-1247 OHI
John P. O'Connor v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0747 OHI
Vernon Pauley v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0757 OHI
Robert Ratcliff v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-1326 OHI
Richard Weikel v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-0884 OHI
Dolores Whitehair v. Philip Morris USA Inc., et al.	Civil Action No. 00-C-1436 OHI

**ORDER EFFECTUATING DISMISSAL PURSUANT TO
PARAGRAPH 7 OF THE CASE MANAGEMENT ORDER/TRIAL PLAN (13)**

On this day came the Defendants, by counsel, pursuant to "Defendants' Motion to Dismiss 13 Civil Actions Pursuant to Paragraph 7 of the Case Management Order/Trial Plan," served March 7, 2012. Upon full and mature consideration of Defendants' Motion, relevant authorities with respect thereto, and prior rulings of this Court, the Court hereby **FINDS, CONCLUDES, AND RULES** that the following Plaintiffs have failed to follow this Court's directives set forth in Paragraph 7 of the January 11, 2000 Case Management Order/Trial Plan:

A. Adams (Humphreys, McClain, Barber)

	Plaintiff Name	Civil Action No.	DOD
1	Gary W. Botkins	00-C-0420	10/30/11
2	John Edward King	00-C-0650	10/06/11
3	John P. O'Connor	00-C-0747	08/05/11
4	Vernon L. Pauley	00-C-0757	09/11/11
5	Richard Weikel	00-C-0884	10/07/11

B. Accord (Barber, McClain)

	Plaintiff Name	Civil Action No.	DOD
6	Phillip E. Berry	00-C-0958	12/07/11
7	Ruth V. Brock	00-C-0985	11/01/11
8	Lila McGee	00-C-1228	07/23/11
9	Roger Mitchem	00-C-1247	07/09/11
10	Robert Ratliff	00-C-1326	10/18/11
11	Dolores Whitehair	00-C-1436	09/29/11

C. Allen (Humphreys)

	Plaintiff Name	Civil Action No.	DOD
12	Carl J. Clayton	98-C-2348	08/26/11

D. Akers (Humphreys)

	Plaintiff Name	Civil Action No.	DOD
13	Billie J. Akers	98-C-2696	12/05/11

Accordingly, the 13 referenced Plaintiffs' civil actions are dismissed, with prejudice. Plaintiffs' objections, if any, to the rulings herein are hereby noted.

And it is so **ORDERED**.

The Clerk is directed to forward certified copies of this "Order Effectuating Dismissal Pursuant to Paragraph 7 of the Case Management Order/Trial Plan (13)" to Liaison Counsel of record in this civil action.

ENTER: March 21st, 2012


ARTHUR M. RECHT
Judge, Circuit Court of Ohio County

ORDER EFFECTUATING DISMISSAL PURSUANT TO PARAGRAPH 7 OF THE CASE
MANAGEMENT ORDER/TRIAL PLAN (13) *(Cont'd)*

PRESENTED BY:

/s/ Pamela L. Campbell

PAMELA L. CAMPBELL (WVSB #5997)
GUTHRIE & THOMAS, PLLC
500 Lee Street, East, Suite 800
P.O. Box 3394
Charleston, WV 25333-3394
(304) 345-7250
Liaison Counsel on Behalf of Defendants