



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

**In Re: TOBACCO LITIGATION
(INDIVIDUAL PERSONAL INJURY CASES)**

**Civil Action No. 00-C-5000
(Judge Jack Alsop)**

THIS DOCUMENT APPLIES TO ALL CASES

**ORDER DENYING PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO FILE
VERIFIED PETITIONS AND SERVICE ON POTENTIAL BENEFICIARIES**

Plaintiffs have moved for an extension of time to file verified petitions for approval of wrongful death settlements pending in this case. *Plaintiffs' Motion for Extension of Time to File Verified Petitions and Service on Potential Beneficiaries* (Transaction ID 64474155). In addition, Plaintiffs have moved for an extension of time to give notice to potential beneficiaries of the proposed settlement with Defendants Liggett Group LLC, Liggett & Meyers Inc., and Brooke Group Ltd. ("Liggett"). *Id.* The Liggett Defendants do not object to the motion. *Liggett Defendants Notice of Non-Objection to "Plaintiffs' Motion for Extension of Time to File Verified Petitions and Service on Potential Beneficiaries"* (Transaction ID 64475490).

Having reviewed the motion and the Liggett Defendants' response, the Court finds that good cause for an extension of time has not been shown and, therefore, Plaintiffs' motion is **DENIED**. Plaintiffs have had ample time to finalize their settlement since the parties notified the Court in June 2019 that they resolved their claims against the Liggett Defendants. The Court's *Order Scheduling December 12, 2019, Hearing*, entered on October 2, 2019 (Transaction ID 64263171), *Order Regarding Final Settlement Hearing*, entered on November 18, 2019 (Transaction ID 64440990), and *Order Appointing Guardian Ad Litem for Potential Beneficiaries* entered on November 20, 2019 (Transaction ID 64448850), remain in full force and effect.

A copy of this Order has been electronically served on all counsel of record via File & ServeXpress this day. Counsel for Plaintiffs shall serve a copy of this Order on the Guardian *Ad Litem* Philip A. Reale, II, who shall appear at the December 12, 2019, hearing regarding finalization of the settlement. Counsel for Plaintiffs shall also serve a copy of this Order on each individual Plaintiff and all potential beneficiaries under any wrongful death petition pursuant to Rule 4 of the West Virginia Rules of Civil Procedure.

It is so **ORDERED**.

ENTERED: December 3, 2019.

/s/ Jack Alsop
Lead Presiding Judge,
Tobacco Litigation