



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

**IN RE: YEAGER AIRPORT LITIGATION**

**CIVIL ACTION NO. 16-C-7000**

**THIS DOCUMENT APPLIES TO:**

Central West Virginia Regional Airport Authority, Inc.,  
v.  
Triad Engineering, Inc., et al.

Civil Action No. 15-C-1022 KAN

**AGENDA FOR FEBRUARY 22, 2019 PRETRIAL CONFERENCE**

Pursuant to the Court's February 12, 2019 *Order Regarding Rulings Issued During Pretrial Conference on February 8, 2019* (Transaction ID 62962840) the Court will complete the Pretrial Conference in the above-styled case at **1:00 p.m. on February 22, 2019**, 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. Following is the agenda of remaining items to be addressed at the pretrial conference:

1. Status of special juror questionnaires and report regarding taxation of costs incidental to obtaining prospective jurors for the scheduled trial.
2. Status of the parties' proposed *Memorandum Opinion and Order Denying the Travelers Indemnity Company's Motion for Summary Judgment Regarding Insurance Coverage and Granting Triad Engineering, Inc.'s Motion for Partial Summary Judgment against Travelers and Westfield Insurance Company's Motion for Summary Judgment on Coverage Issues with Respect to Travelers Policies* (Transaction ID 62982311).
3. *Nicolon Corporation's Motion for Reconsideration of its Motion for Summary Judgment* (Transaction ID 62985568) and *Defendant Johnstone-Morehouse-Dickey Company d/b/a/ JMD's Joinder in Nicolon Corporation's Motion for Reconsideration of its Motion for Summary Judgment* (Transaction ID 62986551).

4. Defendants' proffer of evidence regarding *Plaintiff's Motion in Limine to Preclude the Defendants from Commenting, Suggesting or Presenting Evidence or Testimony that the Cost of Repair Exceeds the Market Value* (Transaction ID 62849911).
5. The parties' proffer of evidence under Rule 404(b) of the West Virginia Rules of Evidence regarding *Nicolon and JMD's Motion in Limine to Preclude any Evidence Related to Fire Pit Road and/or Carpenter Slip* (Transaction ID 62850179).
6. The parties' proposed solution to *Defendants' Joint Motion in Limine to Place Defendant Triad Engineering, Inc. on the Verdict Form at Trial* (Transaction ID 62849944).
7. Joint Proposed Voir Dire
8. Status of Agreed Upon Juror Strikes
9. Joint Proposed Method for Conducting Juror Strikes
10. Joint Proposed Jury Instructions
11. Other matters

It is so **ORDERED**.

**ENTER:** February 21, 2019.

/s/ Derek C. Swope  
Lead Presiding Judge  
Yeager Airport Litigation