



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., a West Virginia corporation,**

Plaintiff,

vs.

Civil Action No. 15-C-1022 KAN

**TRIAD ENGINEERING, INC., a West Virginia
corporation; et al.,**

Defendants.

AGREED ORDER

On December 13, 2018, came the Plaintiff Central West Virginia Regional Airport Authority, Inc., and Defendant Nicolon Corporation dba Tencate Geosynthetics Americas f/d/b/a Tencate Geosynthetics North America (“TenCate”), by respective liaison counsel, by agreed motion and moved this Court for the following:

1. Defendant TenCate filed its Motion for Summary Judgment on December 4, 2018 [Transaction ID 62722016].
2. Response and reply briefing was delayed pending outcome of mediation held on December 6 and 7, 2018. No agreement was reached by the respective parties in this matter.
3. To allow the Plaintiff an extension of time to file its Response to Tencate’s Motion for Summary Judgment [Transaction ID 62722016] by December 31, 2018.
4. To allow the Defendant Tencate an extension of time to file its Reply in Support of its Motion for Summary Judgment by January 18, 2019.
5. Respective Counsel are relieved from compliance with this Court’s Electronic Filing and Service Case Management Order dated February 1, 2017, Section 11, which

requires every motion to include a proposed Order until such time that a hearing is held on the motion and the parties can obtain additional guidance from the Court.

[Transaction ID 60144898]

The Court finding that all parties are in agreement to this motion and for good cause shown, the Court **GRANTS** the parties' Motion.

The Court hereby **ORDERS** that the Plaintiff's response brief shall be due by 5:00p.m. on December 31, 2018 and that the Defendant's reply brief shall be due by 5:00 p.m. on January 18, 2019.

ENTER: December 17, 2018.

/s/ John A. Hutchison
Lead Presiding Judge
Yeager Airport Litigation

Agreed to and Prepared by:

/s/ Anthony J. Majestro
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