



**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.,**

**Plaintiff,**

**v.**

**Civil Action No. 17-C-825 KAN**

**TRIAD ENGINEERING, INC., et al.**

**Defendants.**

**AGREED PARTIAL DISMISSAL ORDER**

This day came the Plaintiff and Defendants Triad Engineering, Inc., Westfield Insurance Company, Cincinnati Insurance Company, and Architects & Engineers Insurance Company, by their respective counsel, and represented to the Court that all matters in controversy between the Plaintiffs and these Defendants have been fully settled, compromised, and agreed. Counsel for the parties jointly moved that all of the Plaintiff's claims against Triad Engineering, Inc., Westfield Insurance Company, Cincinnati Insurance Company, and Architects & Engineers Insurance Company in this civil action be dismissed with prejudice to the Plaintiffs.

It appears to the Court that all claims alleged by the Plaintiff against Triad Engineering, Inc., Westfield Insurance Company, Cincinnati Insurance Company, and Architects & Engineers Insurance Company in this civil action have been settled, compromised, and agreed.

It is, accordingly, ORDERED that all claims alleged by the Plaintiff against Triad Engineering, Inc., Westfield Insurance Company, Cincinnati Insurance Company, and Architects & Engineers Insurance Company in this action be, and the same hereby are dismissed, with prejudice. Furthermore, Triad Engineering, Inc., Westfield Insurance Company, Cincinnati

Insurance Company, and Architects & Engineers Insurance Company shall be removed from the caption as parties to this action. The Plaintiff's claims against the other Defendants in this case are unaffected by this Order and will remain pending.

Furthermore, based on the representations of the Plaintiff and Triad Engineering, Inc., by their counsel, the Court finds that the settlement in this matter between the Plaintiff and Triad Engineering, Inc. is a "good faith settlement," and therefore the Court hereby ORDERS that any and all cross-claims that have been alleged against Defendant Triad Engineering, Inc. in this civil action are also hereby dismissed, with prejudice.

This civil action shall remain on the docket, pending the further Order of the Court.

It is so ORDERED.

ENTER: January 24, 2019.

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

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