



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.,**

Plaintiffs,

v.

CIVIL ACTION NO. 15-C-1022 KAN

TRIAD ENGINEERING, INC., et al.,

Defendants.

**ORDER OF STIPULATED DISMISSAL OF
WEST VIRGINIA PAVING, INC. WITHOUT PREJUDICE**

ON THIS DAY CAME Plaintiff, along with defendant West Virginia Paving, Inc., through their undersigned attorneys and stipulated, pursuant to Rule 41(a) of the West Virginia Rules of Civil Procedure to each voluntarily dismiss Plaintiff's claims against West Virginia Paving, Inc. in this action without prejudice. As part of this dismissal, West Virginia Paving, Inc. agrees that it will waive any statute of limitations/laches defenses should it later be determined that West Virginia Paving, Inc. caused or contributed to causing any of Plaintiff's alleged damages.

WHEREFORE, it is hereby **ORDERED** that West Virginia Paving, Inc. be and **IS HEREBY DISMISSED** from this Civil Action **WITHOUT PREJUDICE** with respect to the Plaintiff's claims against it. This Civil Action is to remain on the Docket of this Court pending the resolution of all other claims asserted herein.

The Clerk is hereby directed to mail an attested copy of this Order to all counsel of record following its entry.

It is so **ORDERED**.

ENTER: March 6, 2018.

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

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