



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

**IN RE: YEAGER AIRPORT LITIGATION**

**Civil Action No. 16-C-7000**

**THIS DOCUMENT APPLIES TO ALL CASES**

**ORDER APPOINTING DISCOVERY COMMISSIONER**

Having reviewed *Nationwide Mutual Fire Insurance Company's Motion for Protective Order and to Quash Subpoenas* (Transaction ID 60941065) filed in *Theodore Carter and Rebecca Carter v. Nationwide Mutual Fire Insurance Company, et al.*, Civil Action No. 15-C-1074 KAN, the Court has determined it is appropriate and does hereby **APPOINT** David M. Kersey, Esquire to serve as Discovery Commissioner in the Yeager Airport Litigation.

The Mass Litigation Manager will immediately provide a copy of Nationwide's motion, including all exhibits, to the Discovery Commissioner. Plaintiffs shall electronically file and serve their response to Nationwide's motion on all counsel of record in *Theodore Carter and Rebecca Carter v. Nationwide Mutual Fire Insurance Company, et al.*, Civil Action No. 15-C-1074 KAN, the Presiding Judges, the Mass Litigation Manager, and the Discovery Commissioner **no later than August 11, 2017**.

A hearing on the motion will be conducted on a date, and at a time and location to be determined by the Discovery Commissioner. No later than ten days after the hearing, the Discovery Commissioner shall provide the Court with a report of his recommendations as to the motion heard, along with his time expended, fees incurred, and recommendation as to how the fees should be split among the parties.

It is so **ORDERED**.

**ENTER:** August 7, 2017

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