

11-1605

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

BRANDY PINGLEY, et al.,

Plaintiffs,

Civil Action 08-C-135

v.

**HUTTONSVILLE PUBLIC
SERVICE DISTRICT,**

Defendant.

DISMISSAL ORDER

On the 29th of September, 2011, came Erika Klie Kolenich, counsel for Plaintiffs, Heather Osborn, counsel for Defendant, Huttonsville Public Service District and Stephen Jory, Counsel for Perfection Plus Turbo Dry, LLC, for a hearing on Plaintiffs' Motion to Enforce Settlement and Defendant, Huttonsville Public Service District's, Motion for Expedited Resolution of Previously Submitted Trangle Issue . Counsel for Plaintiffs and Counsel for Huttonsville Public Service District informed the Court that a resolution was reached on the issues surrounding the Motion to Enforce Settlement and presented to the Court an Order dismissing the medical claims of the Plaintiffs, which was entered by the Court. The Court after hearing the proffers and arguments of Counsel regarding the "Trangle Issue" declines to address and/or rule on the same as it is an issue between counsel and a witness and does not necessitate a ruling from the Court.

Based upon the representations of counsel, the claims between Plaintiffs and Defendant Huttonsville Public Service District have been resolved, the claims between Plaintiffs and Defendant Perfection Plus Turbo Dry, LLC have previously been

dismissed on Summary Judgment, and therefore the Defendants no longer wish to pursue their cross-claims against one another. It therefore, appears that all claims in this matter have been resolved or dismissed, and it is hereby ORDERED and ADJUDGED that any and all claims in the instant action are hereby DISMISSED and that this matter be closed and removed from the Court's docket.

The Circuit Clerk of Randolph County, West Virginia is Ordered to forward attested copies of this Order to all counsel of record in this matter.

Entered this 17th day of October, 2011.


The Honorable Judge Jaymie Godwin Wilfong

Seen and Approved as to Form By:



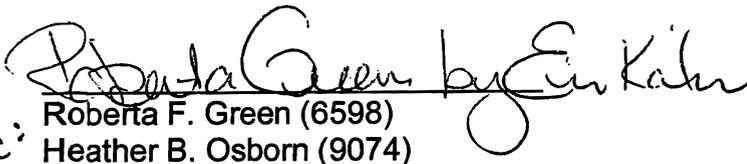
Erika Klie Kolenich (9880)
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cc:

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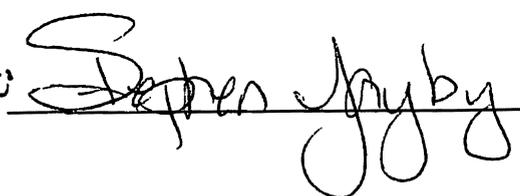
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ORDER BOOK
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BY Howard DEPUTY

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