



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: UNIVERSITY COMMONS LITIGATION

Civil Action No. 13-C-7000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER

The Court has received a series of letters from members of the Homeowners Association (“HOA”) Board and Plaintiff Andrew C. Smith via facsimile. The Court hereby **ORDERS** that no further correspondence shall be sent via facsimile to the Court or to the Mass Litigation Manager by any party. Any party seeking relief from the Court must file and serve a motion. If a self-represented party in this litigation does not have access to File & ServeXpress, and wishes to file and serve a motion, the self-represented party shall provide a copy of the motion to Bailey & Glasser, LLP for e-filing and service. Bailey & Glasser, LLP shall e-file and serve the motion and provide a copy of the e-filed motion to all Plaintiffs.

The Court has previously advised Plaintiff Andrew C. Smith that he may represent himself in this litigation, but he cannot represent others. Accordingly, the Court **ORDERS** Plaintiff Andrew C. Smith to cease interpreting and paraphrasing orders of the Court and providing advice to UCR unit owners regarding this litigation.

The Court’s February 5, 2014 order is a final order available for the proper application of the appellate process pursuant to Rule 54(b) of the Rules of Civil Procedure and the Rules of Appellate Procedure. See Order Memorializing the Court’s Rulings During the January 15, 2014 Settlement Hearing, entered on February 5, 2014. As such, the Court will not revisit the rulings set forth in that order.

Any contact with the Mass Litigation Manager shall be confined to procedural questions. The Mass Litigation Manager will not answer substantive questions.

Bailey & Glasser, LLP shall provide a copy of this order to all Plaintiffs.

It is so **ORDERED**.

ENTER: March 6, 2014

/s/ Derek C. Swope
Lead Presiding Judge
University Commons Litigation