



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.
A West Virginia corporation,

Plaintiff,

vs.

Civil Action No. 15-C-1022 KAN

TRIAD ENGINEERING, INC.,
A West Virginia corporation, et al.

Defendants.

**AGREED ORDER DISMISSING CROSS-CLAIMS BETWEEN CAST & BAKER
CORPORATION AND NOVEL GEO-ENVIRONMENTAL, LLC**

Defendant Novel Geo-Environmental, LLC (“Novel”), and Defendant Cast & Baker Corporation (“Cast & Baker”), by counsel having been duly authorized by their respective client to do so, hereby stipulate to the release and voluntary dismissal, with prejudice, of all claims which were or could have been asserted between them concerning the subject of this action, including their respective cross-claims for contractual indemnification, pursuant to Rule 41(a) and (c) of the West Virginia Rules of Civil Procedure.

WHEREFORE, finding this stipulation to be in proper form, and perceiving no objection to the mutual release and dismissal of cross-claims pending between Cast & Baker and Novel by any other party, it is hereby **ORDERED** that the cross-claims pending between Cast & Baker Corporation and Novel are **DISMISSED, WITH PREJUDICE**.

It is so **ORDERED**.

ENTER: February 11, 2019.

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

Respectfully submitted and stipulated to by:

/s/Chad L. Taylor

Frank E. Simmerman, Jr. (WVSB# 3403)

fes@simmermanlaw.com

Chad L. Taylor (WVSB# 10564)

clt@simmermanlaw.com

Frank E. Simmerman, III (WVSB# 11589)

trey@simmermanlaw.com

SIMMERMAN LAW OFFICE, PLLC

254 East Main Street

Clarksburg, WV 26301

Phone: (304) 623-4900

Fax: (304) 623-4906

Counsel for Novel Geo-Environmental, LLC

/s/Michael P. Markins

Michael P. Markins (WVSB# 8825)

mmarkins@c-wlaw.com

Jennifer A. Lynch (WVSB# 12140)

jlynch@c-wlaw.com

CIPRIANI & WERNER, P.C.

500 Lee Street, East, Suite 900

Charleston, WV 25301

Phone: (304) 341-0500

Fax: (304) 341-0507

Counsel for Cast & Baker Corporation