



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

In Re: TOBACCO LITIGATION
(INDIVIDUAL PERSONAL INJURY CASES)

Civil Action No. 00-C-5000
(Judge Jack Alsop)

THIS DOCUMENT APPLIES TO ALL CASES

ORDER GRANTING PLAINTIFFS' MOTION FOR AN EXTENSION OF TIME TO
FILE VERIFIED PETITIONS AND SERVE POTENTIAL BENEFICIARIES
AND REQUIRING A NOTICE OF HEARING BY PUBLICATION

Pending before the Court is Plaintiffs' December 5, 2019 *Motion for Reconsideration* (Transaction ID 64490379) of the Court's December 3, 2019 *Order Denying Plaintiffs' Motion for Extension of Time to File Verified Petitions and Service on Potential Beneficiaries* (Transaction ID 64481586). Plaintiffs requested the Court reconsider providing Plaintiffs with an extension of time to file verified petitions for approval of wrongful death settlements pending in this case, and an extension of the deadline to give notice to the potential wrongful death beneficiaries, and provided additional details regarding the parties' efforts to finalize the settlement of these claims.

For good cause shown, and as the Court previously notified the parties on December 6, 2019, Plaintiffs' motion is **GRANTED**. Plaintiffs are **ORDERED** to serve potential beneficiaries with a copy of the verified petition for approval of their wrongful death settlement **by December 15, 2019**. Plaintiffs are further **ORDERED** to file all certifications of notice and consent to wrongful death settlements and distribution of wrongful death settlement proceeds, along with a notice identifying all contested petitions **by January 3, 2020**.

The Court will conduct a final hearing regarding the Plaintiffs' settlement with the Liggett Defendants, and will hear verified petitions for Court approval of wrongful death claim settlements and proposed distribution of wrongful death proceeds at **10:00 a.m. on January 10,**

2020, in Courtroom Four, also known as the Ceremonial Courtroom on the Second Floor of the Kanawha County Courthouse, at 409 Virginia Street, East, in Charleston, West Virginia. Counsel of record, and any parties contesting verified petitions for Court approval of wrongful death claim settlements and proposed distribution of wrongful death proceeds are **ORDERED** to appear.

The Court **ORDERS** Plaintiffs to publish the attached Notice of Hearing once a week for two consecutive weeks in a newspaper of general circulation in Plaintiffs' areas of residence, with the second Notice of Hearing published **no later than December 27, 2019**. The Court further **ORDERS** Plaintiffs to file an Affidavit of Publication evidencing publication of the Notice of Hearing **no later than January 3, 2020**.

A copy of this Order is electronically served on all counsel of record this day via File & Serve*Xpress*. Counsel for Plaintiffs is directed to provide a copy of this Order and the attached Notice of Hearing to all Plaintiffs.

It is so **ORDERED**.

ENTERED: December 10, 2019.

/s/ Jack Alsop
Lead Presiding Judge
Tobacco Litigation

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IMPORTANT LEGAL NOTICE
PLEASE READ CAREFULLY

Please take NOTICE that a hearing will be held in the above-listed cases before The Honorable Jack Alsop, and the Honorable Alan D. Moats, the Presiding Judges in the Tobacco Litigation, at 10:00 a.m. on Friday, January 10, 2020, in Courtroom Four, also known as the Ceremonial Courtroom, on the Second Floor of the Kanawha County Courthouse, located at 409 Virginia Street, East, in Charleston, West Virginia.

The purpose of this hearing is to determine to whom and in what percentage the wrongful death proceeds pursuant to West Virginia Code § 55-7-6(b), shall be distributed regarding the above-listed cases. You have the right to be present at the hearing on January 10, 2020, to protest and object to the entry of the Order of Distribution if you are identified as someone who may have a claim under West Virginia wrongful death law. You have the right to be represented by an attorney of your choice and at your own expense at the hearing. If you cannot attend the hearing in person you can submit a written objection to Plaintiffs' counsel **no later than January 3, 2020**, at the address listed below. Plaintiffs' counsel will file under seal and serve the Presiding Judges and the Mass Litigation Manager with any written objection immediately.

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