

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA****In Re: Asbestos Personal Injury Litigation****Civil Action No. 03-C-9600****THIS DOCUMENT APPLIES TO ALL CASES****ORDER AMENDING CASE MANAGEMENT ORDER**

The Court finds that there are frequent amendments to complaints in the West Virginia Asbestos Litigation to substitute personal representatives for deceased plaintiffs and to join additional defendants in individual cases. The Court further finds that such amendments do not affect existing defendants to the actions and that requiring such existing defendants to answer such amended complaints is unnecessary and a waste of resources of said defendants. As a result, the Court finds that the Case Management Order should be amended to provide that existing defendants need not answer the foregoing types of amended complaints.

It is, therefore, ORDERED, that the 2010 Asbestos Case Management Order filed on May 14, 2010, be and it is hereby, amended by adding a new Paragraph 7.D. as follows:

D. Where a complaint in an action is amended only to substitute a personal representative for an existing plaintiff or to add new defendants to an action, existing defendants in the action need not answer the amended complaint, and each defendant's answer to the prior complaint shall be deemed an answer to the amended complaint as well.

Dated this 3rd day of January, 2012.


Ronald E. Wilson
Circuit Judge