



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

**IN RE: FLOOD LITIGATION**

**MC FLOOD 7/8/2001**

**PLAINTIFFS' MOTION FOR EXTENSION OF TIME TO RESPOND TO THE  
REMAINING DEFENDANTS' MOTIONS TO DISMISS AND UNIFIED  
MEMORANDUM**

The Plaintiffs herein, by and through Liaison Counsel, Stuart Calwell moves this Honorable Court for a two week extension of time from July 31, 2009 in which to respond to the remaining Defendants' motion to dismiss and unified memorandum in the above-captioned civil action and in support thereof state as follows:

1. Plaintiffs Liaison Counsel, Stuart Calwell has had a medical emergency that has required him to be admitted into the hospital for diagnosis and treatment.

Counsel for the Plaintiffs have been authorized by the Defendants to inform the Court that they have no objection to the said motion.

WHEREFORE, Plaintiffs respectfully ask the Court to grant the Plaintiffs' Motion for Extension of Time to Respond to the Remaining Defendants' Motions to Dismiss and Unified Memorandum for a period of two weeks, or on or before August 14, 2009. Plaintiffs further respectfully ask the Court to also grant the Defendants a two week extension to file a unified reply to the Plaintiffs' response herein.

**Plaintiffs,**  
**By Counsel**

**/s/ Stuart Calwell (WV State Bar# 0595)**

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**CERTIFICATE OF SERVICE**

I Stuart Calwell, Liaison counsel for Plaintiffs herein, do hereby certify that on the 28<sup>th</sup> day of July 2009, that I have electronically filed the foregoing **“PLAINTIFFS’ MOTION FOR EXTENSION OF TIME TO RESPOND TO THE REMAINING DEFENDANTS’ MOTIONS TO DISMISS AND UNIFIED MEMORANDUM”** with the Clerk of Court using the LexisNexis File and Serve system which will send notification of such filing to all counsel of record.

/s/ Stuart Calwell

**Stuart Calwell (WV State Bar # 0595)**

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**Granted** Judge John A Hutchison Jul 29, 2009