



THE IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: YEAGER AIRPORT LITIGATION

Civil Action No. 16-C-7000

THIS DOCUMENT APPLIES TO:

THEODORE CARTER and
REBECCA CARTER, husband
and wife,

Plaintiffs,

v.

Civil Action No. 15-C-1074 KAN

CENTRAL REGIONAL WEST
VIRGINIA AIRPORT AUTHORITY, et al.,

Defendants.

ORDER MEMORIALIZING RULING ON PLAINTIFFS' MOTION TO SEVER

Having reviewed the parties' briefs, and conferred with one another to insure uniformity of their decision, as contemplated by Rule 26.07(a) of the West Virginia Trial Court Rules, the Presiding Judges unanimously DENIED *Plaintiffs' Motion to Sever This Action From the Case Management Order Regarding Damages Only Trial of Property Damages Claimants Against the Airport and to Try Plaintiffs Suit Against the Airport Separately* (Transaction ID 61352053) during the hearing on January 19, 2018. The Court ruled that the *nature* of the Carter Plaintiffs' property damage claims are no different from the other homeowner and church property owner cases pending before the Court in the Yeager Airport Litigation, although the *amount* of the Carter Plaintiffs' property damage claims may be greater because their home was destroyed.

It is so **ORDERED**.

ENTER: January 30, 2018.

/s/ John A. Hutchison
Lead Presiding Judge
Yeager Airport Litigation