



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: YEAGER AIRPORT LITIGATION

Civil Action No. 16-C-7000

THIS DOCUMENT APPLIES TO ALL CASES

NOTICE OF STATUS AND SCHEDULING CONFERENCE

You are hereby notified the Presiding Judges will conduct a Status and Scheduling Conference in the Yeager Airport Litigation at **11:00 a.m. on October 17, 2017**, 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**. All counsel of record shall attend and be prepared to address:

1. Status of Property Owner Cases

a. The Carter Case

Theodore Carter and Rebecca Carter v. Central Regional West Virginia Airport Authority, et al., Civil Action No. 15-C-1074 KAN.

- Status of settlement with Defendant Nationwide Mutual Fire Insurance Company;
- Status of settlement negotiations with remaining Defendants Central West Virginia Regional Airport Authority, Corotoman, Inc. and John Wellford;
- *Report of Discovery Commissioner* (Transaction ID 61178723) regarding *Plaintiffs' Motion to Compel Discovery Responses from Defendant, Central West Virginia Regional Airport Authority*; and
- Proposed scheduling order for the remainder of the case.

b. Cases in which Property owners are represented by Marvin Masters:

Kenneth W. Carter v. Cast & Baker Corporation, et al., Civil Action No. 15-C-1791 KAN;
Robert L. Harrah II v. Cast & Baker Corporation, et al., Civil Action No. 15-C-1792 KAN;
Terry Letart, et al. v. Cast & Baker Corporation, et al., Civil Action No. 15-C-1793 KAN;
Deborah K. Harrah v. Cast & Baker Corporation, et al., Civil Action No. 15-C-1794 KAN;
Patricia A. Wolfe, et al. v. Cast & Baker Corporation, et al., Civil Action No. 16-C-1815 KAN;
James Johnson, et al. v. Cast & Baker Corporation, et al., Civil Action No. 16-C-1826 KAN.

- Status of settlement negotiations;

- Proposed scheduling order; and
- *Plaintiffs Motion to Amend the Complaint* (Transaction ID 61161654) to add Defendants Michael Baker International, Inc., Novel Geo-Environmental, LLC, Hanson Ready-Mix, Inc., f/k/a Arrow Concrete Company, and Koskosing Construction Company, Inc. f/k/a Ahern & Associates, Inc.

c. Church Property Owner Cases:

- Status of settlement negotiations; and
- Proposed scheduling order.

Brotherhood Mutual Insurance Co., a/s/o The Keystone Apostolic Church, f/k/a The Pentecostal Assembly of Jesus Christ v. Central West Virginia Regional Airport Authority, Inc., et al., Civil Action No. 16-C-293 KAN

- *Brotherhood Mutual Insurance Company's Motion to Strike Defendants' Joint Notice of Fault by a Nonparty and Incorporated Memorandum of Law* (Transaction ID No. 60719089)

The Keystone Apostolic Church, f/k/a The Pentecostal Assembly of Christ v. Central West Virginia Regional Airport Authority, Civil Action No. 16-C-536 KAN

- *The Keystone Apostolic Church's (1) Motion for Partial Summary Judgment on Liability of the Central West Virginia Regional Airport Authority, Inc. and (2) Motion for an Expedited Trial on Damages* (Transaction No. 60564030);
- *Central West Virginia Regional Airport Authority, Inc.'s Response to Keystone Apostolic Church's Motion for Partial Summary Judgment on Liability and Counter Motion for Summary Judgment* (Transaction No. 60637304); and
- *Central West Virginia Regional Airport Authority, Inc.'s Motion to Dismiss or In the Alternative Motion to Consolidate* (Transaction No. 60733041).

2. Status of Airport Case

Central West Virginia Regional Airport Authority v. Triad Engineering, Inc., et al., Civil Action No. 15-C-1022 KAN

- Status of settlement negotiations;
- Proposed scheduling orders submitted by the Airport Authority, Construction Defendants and most Insurance Defendants, and Travelers Insurance Company;
- *Defendant New Hampshire Insurance Company's Motion for Summary Judgment* (Transaction ID 60374382);

- *Motion to Transfer to Mass Litigation Panel Central West Virginia Regional Airport Authority, Inc. v. Triad Engineering, Inc., et al.*, (the “Taxiway A” case) Kanawha County Civil Action No. 17-C-825, currently pending before the Honorable Jennifer F. Bailey;
- *Defendant Michael Baker International, Inc.’s Motion for Leave to Amend Answer to Second Amended Complaint, Affirmative Defenses and Cross-Claims Against All Co-Defendants* (Transaction ID 61164296).

It is so **ORDERED**.

ENTER: October 3, 2017.

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