



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION

CIVIL ACTION NO. 00-C-5000

(INDIVIDUAL PERSONAL INJURY CASES)

(ARTHUR M. RECHT, JUDGE)

ORDER

At a hearing held June 7, 2012, the court directed the parties to submit an accounting of any claim or defense which was asserted to be frivolous as per the directive of Rule 16 (c) (1) of the West Virginia Rules of Civil Procedure. Having reviewed the only response to that directive filed by defendants' liaison counsel, the court finds that there is, in fact, no justiciable issue as to a concept of a frivolous claim or defense herein.

Accordingly, it is hereby ORDERED that as of April 2, 2013, none of the claims asserted herein nor the defenses to those claims are or have been frivolous.

Pursuant to R. C. P. 46 the exceptions of respective parties to all rulings of the Court adverse to their position are here noted and preserved to the extent that at the time of the ruling it was made known to the Court the action such party desired the court to take or the objection to the actions of the Court and the grounds therefore.

ENTER:

PRESENTED BY:

DATE

/s/ Timothy N. Barber
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Liaison Counsel for Plaintiffs

ARTHUR M. RECHT, JUDGE

So Ordered Judge Recht, Arthur Apr 03, 2013