



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

Pursuant to the scheduling of a telephone hearing (as per T. C. R. 22.03) on pending matters set by the Court pursuant to R. Civ. P. 60 (a), the respective parties appeared by counsel on October 7, 2013 at 10:00 A.M.

- (1) The Court announced that two orders that were entered herein on September 16, 2013 entitled respectively "Judgment on Phase I" and "Order Determining Issues Raised During the August 13, 2013 Hearing" are VACATED on the Court's motion sua sponte. Such action renders the pending Plaintiffs' Motion to Alter or Amend the Court's Judgment Pursuant to W. Va. R. Civ. P. 59 (e) moot and, therefore, such motion is DENIED.
- (2) Upon reconsideration of the terms of those orders, two separate orders are entered of even date herein: Judgment on Phase I and Order Determining Issues Raised During the August 13, 2013 Hearing.
- (3) The date of entry of those orders shall initiate the time periods available to the parties to perfect the requisites for an appeal of either order as set out in the application of Rules of Appellate Procedure.

ENTER: October 28, 2013.

/s/Arthur M. Recht
Senior Status Judge
In Re: Tobacco Litigation