

**Bradley K. Shafer**  
*Attorney At Law*

December 11, 2015

Donald Knopp, Clerk  
Harrison County Circuit Court  
Harrison County Courthouse  
301 W. Main Street  
Clarksburg, WV 26301-2967

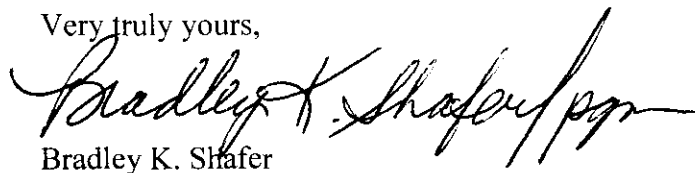
Re: Zurich American Insurance Company v Thrasher Engineering, Inc., et al.  
Case No.: 14-C-391-2

Dear Clerk:

Enclosed please find the original "Stipulation of Dismissal" in the above referenced matter, which I request you mark "filed" and place in the appropriate Court file. A complete copy has this date been provided to all counsel of record. A copy has also been provided via email to the Business Court at [Business.Court@courtsww.gov](mailto:Business.Court@courtsww.gov) and [Claire.Watson@courtsww.gov](mailto:Claire.Watson@courtsww.gov).

Thank you for your attention to this matter, and please contact me should you have any questions.

Very truly yours,



Bradley K. Shafer

BKS: pgm  
Enclosure  
cc: w/enc.

Chad L. Taylor, Esq.  
Edward A. Miller, Esq.  
Jeffrey A. Kimble, Esq.  
James F. Lee, Jr., Esq./Jonathan C. Shoemaker, Esq.  
Stephen M. Seeger, Esq.  
Vincent J. Iozzi, Esq.

FILED  
HARRISON COUNTY COURT  
2015 DEC 14 PM 1:37

**IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION**

**ZURICH AMERICAN INSURANCE  
COMPANY, as subrogee of TURNER  
CONSTRUCTION COMPANY,  
TURNER CORPORATION, and  
TOMPKINS BUILDERS, INC., foreign  
corporations,**

**Civil Action No.: 14-C-391-2**

**Plaintiff,**

**Presiding Judge: Rowe  
Resolution Judges: Farrell & Clawges**

**vs.**

**THRASHER ENGINEERING, INC. d/b/a  
THRASHER ENGINEERING, a  
West Virginia Corporation,**

**and**

**MASCARO CONSTRUCTION  
COMPANY. LP,  
a foreign entity,**

**Defendants,**

**vs.**

**SKIDMORE, OWINGS & MERRILL,  
LLP and GEOCONCEPTS  
ENGINEERING, INC., and TURNER  
CONSTRUCTION COMPANY,  
TURNER CORPORATION**

**Third Party Defendants.**

**STIPULATION OF DISMISSAL**

Comes Now the Plaintiff, Zurich American Insurance Company, as subrogee of Turner Construction Company, Turner Corporation and Tompkins Builders, Inc., through its undersigned counsel of record, pursuant to WVRCP 41(a)(1)(ii) hereby dismisses its action

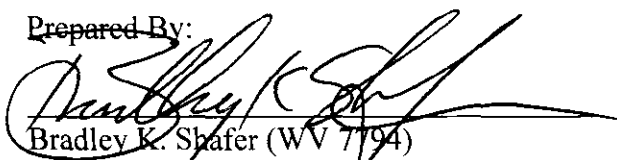
against defendants Thrasher Engineering, Inc., d/b/a Thrasher Engineering and Mascaro Construction Company, LP, with prejudice.

Comes now the Defendant/Third Party Plaintiff Thrasher Engineering Inc., d/b/a Thrasher Engineering through its undersigned counsel of record, pursuant to WVRCP 41(a)(1)(ii) hereby dismisses its third party action against Turner Construction Company with prejudice. Thrasher Engineering Inc. further hereby dismisses its third party action against Skidmore, Owings and Merrill LLP and GeoConcepts Engineering Inc., as well as its crossclaim against Mascaro Construction Company, LP without prejudice.

Comes now the Defendant Mascaro Construction Company, LP through its undersigned counsel of record, pursuant to WVRCP 41(a)(1)(ii) hereby dismisses its cross claim against Thrasher Engineering Inc. without prejudice.

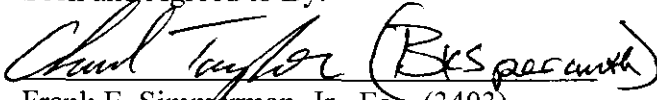
Dated: December 11, 2015.

Prepared By:

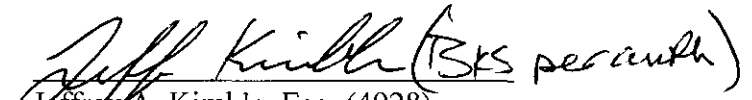
  
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Counsel for Plaintiff

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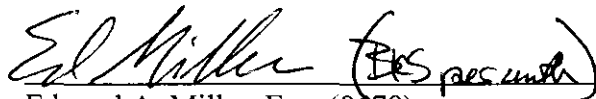
Seen and Agreed to By:

 (BKS per auth)

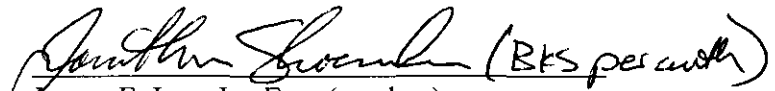
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