

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

2019 JAN -4 AM 8:42
JAMES H. YOUNG, CLERK
KANAWHA COUNTY CIRCUIT COURT

STATE OF WEST VIRGINIA, ex rel.
PATRICK MORRISEY, ATTORNEY
GENERAL, *et al.*,

Plaintiffs,

v.

Civil Action No.: 17-C-41
James H. Young, Presiding Judge

CRH, plc, *et al.*,

Defendants.

**ORDER REGARDING THE WVP DEFENDANTS' MOTION TO AMEND THE
SCHEDULING ORDER AND CRH, PLC'S MOTION TO EXTEND TIME BY WHICH
TO PRODUCE DOCUMENTS**

On December 3, 2018, the Court held a status conference in this action and heard oral argument on the WVP Defendants'¹ Motion to Amend the Scheduling Order and CRH, plc's Motion to Extend Time by Which to Produce Documents. For the reasons set forth in the parties' briefs and as stated on the record, the Court hereby FINDS, CONCLUDES, and ORDERS as follows:

1. The WVP Defendants' Motion to Amend the Scheduling Order is GRANTED IN PART. Specifically, the July 31, 2018, Scheduling Order is hereby amended to change the "Fact Discovery Completion Date" from December 31, 2018, to January 31, 2019. Further, the Court will hold a status conference on February 4, 2019, at 1:30 pm to address any outstanding issues. The parties are encouraged to work in good faith to resolve deficiencies and complete discovery during such time, including the matters raised in West Virginia Paving, Inc.'s First and Second Motions to Compel Discovery

¹ CRH, plc; Oldcastle, Inc.; Oldcastle Materials, Inc.; West Virginia Paving, Inc.; Southern West Virginia Paving, Inc.; Southern West Virginia Asphalt, Inc.; and Camden Materials, LLC.

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from the State of West Virginia, the Plaintiffs' Motion to Compel Discovery from CRH, plc, and any additional discovery disputes or deficiencies. Any additional discovery-related motions (addressing additional discovery disputes, deficiencies requiring a motion to compel, or any other discovery-related issues) shall be filed by January 24, 2019, to be presented and heard at the February 4 status conference.

2. CRH, plc's Motion to Extend Time by Which to Produce Documents is hereby GRANTED. CRH, plc, shall have until December 17, 2018, to complete the search agreed to by counsel in response to Plaintiffs' Motion to Compel Discovery.

The parties' objections and exceptions to this Order are noted and preserved.

The Clerk shall serve a certified copy of this Order to all parties of record.

IT IS SO ORDERED.

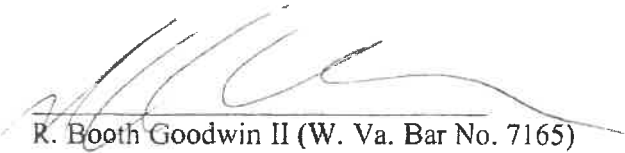
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Date: 1/4/19
Certified copies sent to:
☒ counsel of record
☒ parties
☒ other (please indicate) B. Bailey Ct. Adm
By: ☒ certified/1st class mail Judges Milnes
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Other directives accomplished: B. Bailey
S. Davis
D. Davis
R. Goodwin
M. Garrell
C. Johnstone
J. Storge
Deputy Circuit Clerk

James H. Young, Jr.
James H. Young, Jr., Circuit Judge

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 7th
DAY OF Jan 2019
Cathy S. Gatson CLERK
KANAWHA COUNTY, WEST VIRGINIA

Prepared and agreed to by:



R. Booth Goodwin II (W. Va. Bar No. 7165)

Carrie Goodwin Fenwick (W. Va. Bar No. 7164)

Richard D. Owen (W. Va. Bar No. 2794)

W. Jeffrey Vollmer (W. Va. Bar No. 10277)

Lucas R. White (W. Va. Bar No. 12501)

GOODWIN & GOODWIN LLP

300 Summers Street, Suite 1500

Charleston, West Virginia 24328

T: (304) 356-7000

F: (304) 344-9692

rbg@goodwingoodwin.com

cgf@goodwingoodwin.com


rdo@goodwingoodwin.com

wjv@goodwingoodwin.com

lrw@goodwingoodwin.com

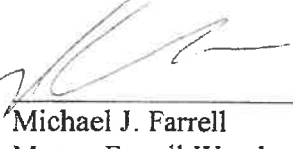
Counsel for WVP Defendants

Read and agreed to by:


for Benjamin L. Bailey
Eric B. Snyder
Ora N. Nwabueze
Holly J. Wilson
Special Assistant Attorneys General
Bailey & Glasser LLP
209 Capital Street
Charleston, WV 25301
bbailey@baileyglasser.com
esnyder@baileyglasser.com
onwabueze@baileyglasser.com
hwilson@baileyglasser.com

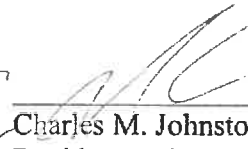
Steven A. Travis
Deputy General Counsel
State Capitol Bldg. 1, Room E-26
1900 Kanawha Blvd., East
Charleston, WV 25305
steven.a.travis@wvago.gov

Douglas L. Davis
Assistant Attorney General
Consumer Protection/Antitrust Division
P.O. Box 1789
Charleston, WV 25326
douglas.l.davis@wvago.gov
Counsel for Plaintiffs


Michael J. Farrell
Megan Farrell Woodyard
J. Ben Shepard
Farrell, White, & Legg PLLC
P.O. Box 6457
Huntington, WV 25772
mjf@farrell3.com
mef@farrell3.com
jbs@farrell3.com
Counsel for Defendant Kelly Paving, Inc.

Michael B. Hissam
Isaac R. Forman
J. Zak Ritchie
Hissam Forman Donovan Ritchie PLLC
P.O. Box 3983
Charleston, WV 25339
mhissam@hfdrlaw.com
iforman@hfdrlaw.com
zritchie@hfdrlaw.com

Jonathan T. Storage
West Virginia Department of
Transportation/Division of Highways
Legal Division
Bldg. 5, Room 5-517
1900 Kanawha Blvd., East
Charleston, WV 25305
jonathan.t.storage@wv.gov


Charles M. Johnstone II
David A. Dobson
Johnstone & Gabhart
1125 Virginia Street East
Charleston, WV 25301
sjohnstone@wvlaw.net
ddobson@wvlaw.net
*Counsel for Defendants American Asphalt
and Aggregates, Inc.; Blacktop
Industries and Equipment Company;
and West Virginia American Asphalt, LLC*