

FILED

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

MAR 15 AM 8:36
CATHY S. [signature] 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 MARCH 4, 2019 STATUS CONFERENCE

On March 4, 2019, the Court held a status conference in this action. For the reasons stated on the record, the Court hereby FINDS, CONCLUDES, and ORDERS as follows:

1. The Court will hold another status conference on April 2, 2019, at 9:30 am at the Wayne County Courthouse.
2. The April 15, 2019, deadline for the defendants' expert disclosures is continued until at least May 15, 2019 for the WVP Defendants, Kelly Paving, Inc., American Asphalt and Aggregates, Inc., Blacktop Industries and Equipment Company, and American Asphalt of West Virginia, LLC. The Court will consider this deadline at the April 2, 2019, status conference.
3. By March 26, 2018, WVP and the Plaintiffs shall submit proposed orders with respect to whether the evidence discussed in WVP's Motion to Compel Discovery Responses from the State of West Virginia, filed November 6, 2018, is protected by the attorney-client privilege or work-product doctrine. That is, WVP's Requests for Production of Documents Nos. 2-3 & 34-52, relating to communications between the State and the United States Department of Justice and information discussed in a publicly disclosed

letter sent by Michael J. Folio, then-Director of the Legal Division of the Department of Highways ("Folio Letter").

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.

Enter: 3/14/19

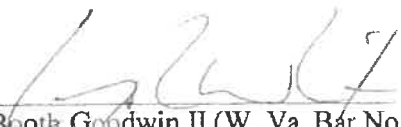
James H. Young, Jr.
James H. Young, Jr., Circuit Judge

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
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 18
DAY OF March 2019
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Date: 3/18/19
Certified copies sent to:
☒ Counsel of record
☐ parties
☐ other (please indicate)
By: ☒ certified/1st class mail
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Other directives accomplished: X
[Signature]
Deputy Circuit Clerk

Judge Wilkes
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J. Dunn
M. Nissam
M. Farrell
R. Goodwin
D. Davis
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State of WV, ex rel. Patrick Morrissey, Attorney General, et al vs. Oldcastle, Inc., et al. and City of Charleston, et al. vs. West Virginia Paving, Inc., et al., Business Court Case, Civil Action No. 17-C-41; 16-C-1552, Kanawha County

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Resolution Judge:

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