

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

2019 NOV 15 AM 8:25

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

CATHY S. BATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

Plaintiffs,

v.

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

CRH, plc, *et al.*,

Defendants.

**ORDER REGARDING MOTION TO RESCHEDULE NOVEMBER 7, 2019 STATUS
CONFERENCE**

On November 6, 2019, the West Virginia Paving Defendants¹ filed their unopposed Motion to Reschedule November 7, 2019 Status Conference. For the reasons stated therein, the Court finds good cause to grant the unopposed Motion. The status conference originally scheduled for November 7, 2019 is rescheduled for December 4, 2019.

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

IT IS SO ORDERED.

Enter: 11/12/19

Date: 11/15/19
Certified copies sent to:
☒ counsel of record
☒ parties
☐ other (please indicate)
By: [Signature]
☒ certified/1st class mail
☐ fax
☐ hand delivery
☐ interdepartmental
Other directives accomplished:
[Signature]
Deputy Circuit Clerk

[Signature]
James H. Young, Jr., Circuit Judge

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. BATSON, 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 15
DAY OF NOV 2019
[Signature] CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

¹ The West Virginia Paving Defendants include 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.

615-616

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 Defendants 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

Larry A. Mackey (*pro hac vice*)
Bradley R. Love (*pro hac vice*)
Neal A. Brackett (*pro hac vice*)
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204
larry.mackey@btlaw.com
bradley.love@btlaw.com
neal.brackett@btlaw.com
Counsel for Defendant CRH, plc

John R. Fornaciari (*pro hac vice* pending)
Danyll W. Foix (*pro hac vice* pending)
Sally Yuanyuan Qin (*pro hac vice* pending)
BakerHostetler LLP
1050 Connecticut Avenue NW, Suite 1100
Washington, DC 20036
jfornciari@bakerlaw.com
dfoix@bakerlaw.com
sqin@bakerlaw.com
Counsel for Defendant Oldcastle, Inc. and Oldcastle Materials, Inc.

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

***Beverly Selby, Kanawha Co. Administrator
Phone: 304-357-0369***

Counsel for Plaintiffs (Special Assistant AGs):

Benjamin L. Bailey, Esq.
Michael B. Hissam, Esq.
Isaac R. Forman, Esq.
J. Zak Ritchie, Esq.
Bailey & Glasser, LLP
209 Capitol Street
Charleston, WV 25301
Phone: 304-345-6555
Email: bbailey@baileyglasser.com
MHissam@baileyglasser.com
iforman@baileyglasser.com
zritchie@baileyglasser.com

Resolution Judge:

***Honorable Christopher C. Wilkes
Berkeley County Judicial Center
380 W. South Street, Suite 4400
Martinsburg, West Virginia 25401***

Steven A. Travis, Esq.
Deputy General Counsel
State Capitol, Bldg. 1, Room E-206
1900 Kanawha Blvd., East
Charleston, WV 25305
Phone: 304-558-2021
Email: stravis@baileyglasser.com

Jonathan T. Storage, Esq.
General Counsel
WV DOT/DOH Legal Division
1900 Kanawha Blvd., East
Bldg. Five, Room A-517
Charleston, WV 25305
Phone: 304-558-2823
Email: jstorage@baileyglasser.com

Douglas L. Davis, Esq.
Assistant Attorney General
Consumer Protection / Antitrust Division
Post Office Box 1789
Charleston, WV 25326-1789
Phone: 304-558-8986
Email: ddavis@baileyglasser.com

**Counsel for Oldcastle, Inc., Materials, Inc.
West Virginia Paving, Inc., Southern West
Virginia Paving, Inc., Southern West Virginia
Asphalt, Inc. and Camden Materials, LLC:
R. Booth Goodwin, Esq.**

Carrie Goodwin Fenwick, Esq.
Richard D. Owen, Esq.
Lucas R. White, Esq.
Goodwin & Goodwin, LLP
Post Office Box 2107
Charleston, WV 25328-2107
Phone: 304-346-7000
Email: rbg@goodwingoodwin.com
cgf@goodwingoodwin.com
rdo@goodwingoodwin.com
lrw@goodwingoodwin.com

Counsel for Kelly Paving, Inc.:

Michael J. Farrell, Esq.
Megan Farrell Woodyard, Esq.
Farrell, White & Legg, PLLC
Post Office Box 6457
Huntington, WV 25772-6457
Phone:
Email: mjf@farrell3.com
mef@farrell3.com

**Counsel for American Asphalt and Aggregate,
Inc., American Asphalt of West Virginia, LLC,
And Blacktop Industries and Equipment Company:**

Charles M. Johnstone, II, Esq.
David A. Dobson, Esq.
Johnstone & Gabhart, LLP
1125 Virginia Street, East
Charleston, WV 25321
Phone:
Email: sjohnstone@wvlaw.net
ddobson@wvlaw.net

***Business Court Division
West Virginia Supreme Court of Appeals
Berkeley County Judicial Center
380 W. South Street, Suite 2100
Martinsburg, WV 25401***