

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

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

Plaintiffs,

v.

CRH, plc, *et al.*,

Defendants.

2020 MAY -8 A 8:19

NATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

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

**ORDER REGARDING APRIL 14, 2020 STATUS CONFERENCE**

On April 14, 2020, the Court held a status conference in this action with counsel for all parties present telephonically. For the reasons stated on the record, the Court hereby FINDS, CONCLUDES, and ORDERS as follows:

1. The Court took up the matter of an Amended Scheduling Order and was advised by all parties that there was general agreement thereto. Counsel for the Plaintiffs submitted the proposed Amended Scheduling Order via electronic mail after the hearing copying all parties. Provided there continues to be no objection thereto, the Court will enter the same.
2. The Court will hold another status conference on May 11, 2020, at 10:00 am at the Wayne County Courthouse provided the judicial emergency currently in effect through May 1, 2020 expires by its terms. If, however, the judicial emergency is extended past May 11, 2020, or the Court otherwise finds it prudent or otherwise expeditious to do so, the Court will conduct the status conference telephonically and advise the parties of the same by electronic mail.

3. The Court also received from the West Virginia Paving Defendants a supplemental brief concerning their previously filed Motion to Compel Production of Documents regarding Prior Antitrust Investigations. As the Court indicated on the record, it will review the briefing as well as the proposed findings and conclusions submitted by the parties on March 26, 2019 and will advise the parties if it desires anything further before it rules on the matter.
4. The WVP Defendants also raised the matter of a case-specific jury questionnaire to be sent to the pool of jurors summoned for potential service on the trial venire in this matter. The Court is favorably disposed toward using such a case-specific questionnaire in this matter but cautioned the parties that such a questionnaire should not be too lengthy. The Court was advised that the parties are endeavoring to reach agreement on such a questionnaire and would either submit an agreed questionnaire or advise the Court as to the issues where there remains disagreement.

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: May 7 '20

Date: 5/8/2020  
Certified copies sent to:  
☒ counsel of record  
☐ parties  
☐ other (please indicate)  
By: ☒ certified/1st class mail  
☐ fax  
☐ hand delivery  
☐ interdepartmental  
☐ other (please indicate)  
R. Adams  
Deputy Circuit Clerk

D. Fields  
attys  
ct adm

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

Prepared and agreed to by:



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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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