FILED

# IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA BUSINESS COURT DIVISION

	· ·
AXIALL CORPORATION and WESTLAKE CHEMICAL CORPORATION,	Civil Action No. 19-C-59
Plaintiffs,	Judge Christopher C. Wilkes
· <b>VS.</b>	) .
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.; ALLIANZ GLOBAL RISKS US INSURANCE COMPANY; ACE AMERICAN INSURANCE COMPANY; ZURICH AMERICAN INSURANCE COMPANY; GREAT LAKES INSURANCE SE; XL INSURANCE AMERICA, INC.; GENERAL SECURITY INDEMNITY COMPANY OF ARIZONA; ASPEN INSURANCE UK LIMITED; NAVIGATORS MANAGEMENT COMPANY, INC.; IRONSHORE SPECIALTY INSURANCE COMPANY; VALIDUS SPECIALTY UNDERWRITING SERVICES, INC.; and HDI-GERLING AMERICA INSURANCE COMPANY,	
Defendants.	
	)

## ORDER PERMITTING FILING UNDER SEAL OF DEFENDANTS' MOTION FOR RELIEF UNDER RULE 37

Pending before the Court is the Motion to File Under Seal Defendants' Motion for Relief
Under Rule 37 (including memorandum of law in support thereof and exhibits).

For the reasons set forth in Defendants' Motion and for good cause shown, the motion is hereby GRANTED.

#### IT IS SO ORDERED.

The Clerk is directed to send a copy of this Order to counsel of record.

ENTER: J

4,2021

Flonorable Christopher C. Wilkes

PREPARED AND SUBMITTED BY:

James A. Varner, Sr. (WV State Bar #3853)

Debra Tedeschi Varner (WV State Bar #6501)

Varner & Van Volkenburg PLLC

360 Washington Avenue

Clarksburg, WV 26301

Tel: (304) 918-2840 / Fax: (304) 566-1161

Myles A. Parker (admitted pro hac vice)

Alexandra F. Markov (admitted pro hac vice)

Justin M. Sumrall (admitted pro hac vice)

Erin D. Guyton (admitted pro hac vice)

Benjamin C. Lewis (admitted pro hac vice)

James L. Warren III (admitted pro hac vice)

Jay M. Patterson (admitted pro hac vice)

Jacob T.E. Stutzman (admitted pro hac vice)

Ally H. Doran (admitted pro hac vice)

Lisa A. Reppeto (admitted pro hac vice)

Paul Thomas Lee, Jr. (admitted pro hac vice)

Carroll Warren & Parker PLLC

188 East Capitol Street, Suite 1200

P. O. Box 1005

Jackson, MS 39215-1005

Tel: (601) 592-1010 / Fax: (601) 592-6060

### McLaughlin, Shelly

From: Miller, Carol

**Sent:** Friday, June 04, 2021 12:45 PM

**To:** Rucki, Joe; Crow, Donna; McLaughlin, Shelly

Cc: Bowers, Tessa; Stotler, Lorri

Subject: 2021 06 04 Order Permitting Filing Under Seal of Def's Mot for Relief Under R 37 19 C

59.pdf

Attachments: 2021 06 04 Order Permitting Filing Under Seal of Def's Mot for Relief Under R 37 19 C

59.pdf

Please find attached Order Permitting Filing Under Seal of Defendants' Motion for Relief Under Rule 37, signed by Judge Wilkes, for filing and distribution.

#### Carol A. Miller

Trial Court Administrator | 23<sup>rd</sup> Judicial Circuit Executive Director | Business Court Division Supreme Court of Appeals of West Virginia

304-264-1992 | 304-264-2163 (f)|Berkeley County Judicial Center | 380 W. South Street | Suite 4100 | Martinsburg, West Virginia 25401

Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

James A. Varner, Esq. Varner & Van Volkenburg 360 Washington Avenue Clarksburg, WV 26301

Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Debra Tedeschi Varner, Esq. Varner & Van Volkenburg 360 Washington Avenue Clarksburg, WV 26301

Joseph M. Rucki
Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Judge Russell M. Clawges, Jr. 9 Stewart Farm Lane Morgantown, WV 26508

Joseph M. Rucki
Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Myles Parker, Esq.
Carroll Warren & Parker
One Jackson Place
188 East Capitol Street, Suite 1200
Jackson, MS 39201

Joseph M. Rucki
Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Carol L. Miller, Executive Director WV Buisness Court Division Berkeley County Judicial Center 380 W. South Street, Suite 2100 Martinsburg, WV 05401

Joseph M. Rucki
Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Jeffrey V. Kessler, Esq. Berry, Kessler, Crutchfield, Taylor & Gordon 514 Seventh Street Moundsville, WV 26041 Clerk of Circuit Court
Marshall County Courthouse
600 Seventh Street, Room 127
Moundsville, WV 26041

Travis L. Brannon, Esq. K&L Gates
K&L Gates Center
210 Sixth Avenue
Pittsburgh, PA. 15222