

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

AXIALL CORPORATION and
WESTLAKE CHEMICAL CORPORATION.

Plaintiffs,

vs.

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.

Civil Action No. 19-C-59

Judge Christopher C. Wilkes

Discovery Commissioner:
Russell M. Clawges, Jr.

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO EXCEED
PAGE LIMITATION AS TO THEIR MOTION FOR SUMMARY
JUDGMENT CONCERNING BAD FAITH CLAIMS AND
INCORPORATED MEMORANDUM OF LAW**

The Court is in receipt of a motion filed by Defendants, requesting leave to exceed the twenty (20) page limit on their forthcoming Memorandum of Law in Support of their Motion for Summary Judgment Concerning Bad Faith Claims.

Having considered the pending motion, Plaintiffs' response, and Defendants' reply, the Court finds that good cause exists to permit Defendants leave to file their brief in excess of twenty (20) pages, but not to exceed thirty-five (35) pages. The Court also finds that good cause exists to allow Plaintiffs the same thirty-five (35) page limitation for their response.

This Court hereby **ORDERS** that Defendants may file their Memorandum of Law in Support of their Motion for Summary Judgment Concerning Bad Faith Claims in excess of twenty (20) pages, but not to exceed thirty-five (35) pages. The same thirty-five (35) page limitation shall also apply to Plaintiffs' response.

IT IS SO ORDERED.

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

ENTER: 11-22-21



Honorable 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*)
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

**ORDER GRANTING DEFENDANTS' MOTION FOR LEAVE TO EXCEED PAGE LIMITATION
AS TO THEIR MOTION FOR SUMMARY JUDGMENT CONCERNING BAD FAITH CLAIMS**

Circuit Court of Marshall County -- Business Court Division
Civil Action No. 19-C-59