

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on May 20, 2022, the following order was made and entered:

National Union Fire Insurance of Pittsburgh,
PA, et al.,
Defendants Below, Petitioners

vs.) No. 21-1016

Axial Corporation and Westlake
Chemical Corporation,
Plaintiffs Below, Respondents

FILED
2022 MAY 27 AM 10:27
JOSEPH M. RUCK

ORDER

On January 27, 2022, the respondents Axial Corporation and Westlake Chemical Corporation, by counsel Jeffrey V. Kessler, Berry, Kessler, Crutchfield, Taylor & Gordon, and Travis L. Brannon and Thomas C. Ryan, K&L Gates LLP, filed a motion to dismiss, for the reasons stated. On February 7, 2022, the petitioners National Union Fire Insurance of Pittsburgh, PA, et al., by counsel Jeffrey M. Wakefield, Flaherty Sensabaugh Bonasso, PLLC, and James A Varner, Sr., and Debra Tedeschi Varner, Varner & Van Volkenburg, PLLC, filed a response in opposition to the motion to dismiss.

On April 19, 2022, the petitioners, by counsel, filed a motion for pro hac vice admission of Jacob T.E. Stutzman, a practicing attorney in the State of Mississippi, and a motion for pro hac vice admission of Myles A. Parker, a practicing attorney in the States of Mississippi and Texas, under Rule 8 of the Rules for Admission to the Practice of Law and Rule 3(c) of the Rules of Appellate Procedure.

On May 11, 2022, the petitioners, by counsel, filed a motion for leave to supplement the appendix record, together with a supplemental appendix record.

Upon review, The Court is of the opinion to, and does, refuse the motion to dismiss. Chief Justice Hutchison would grant the motion. The motion for leave to supplement the appendix record is granted. The supplemental appendix is ordered filed.

Further, the motions for pro hac vice admission are granted. Attorneys Jacob T.E. Stutzman and Myles A. Parker have leave to practice in this Court in the above-referenced proceeding as visiting attorneys pro hac vice.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

