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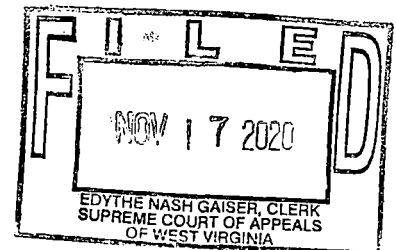
**IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA
Charleston**

**SWN Production Company, LLC,
Putative Intervenor Below/Petitioner**

v.

Appeal No. 20-0490

**William K. Walden, et al.,
Plaintiffs and Defendants Below/Respondents**



SUMMARY RESPONSE OF RESPONDENTS/PLAINTIFFS

WILLIAM K. WALDEN AND ANDREA WALDEN

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**SUMMARY RESPONSE OF RESPONDENTS/PLAINTIFFS
WILLIAM K. WALDEN AND ANDREA WALDEN**

Plaintiffs/Respondents, William K. Walden and Andrea Walden (the Waldens) in response to the brief of Petitioner SWN Production's Company, LLC's (SWN) state as follows:

ARGUMENT

The Waldens agree with SWN's assignments of error and are of the opinion that the circuit court abused its discretion in denying Petitioner's right to intervene in the case below.

Accordingly, the Waldens below hereby join with SWN and adopt in their entirety the legal arguments and authorities in support thereof set forth in Petitioner's Opening Brief filed with this Court on October 5, 2020.

The Waldens particularly emphasize and agree with the SWN's contention that it has more at stake in the underlying civil action than the Waldens, and that the Waldens do not have the financial resources to fully and adequately protect Petitioner's interests. *See*, Petitioner's Opening Brief at pp. 25-27.

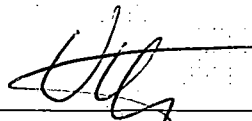
Finally, the Waldens rely on this Court's recent decision in *SWN Production Company, LLC v. Conley, et al.*, Appeal No. 19-0267, November 2, 2020. With facts nearly identical to this case, this Court reversed and remanded the circuit court's decision denying intervention.

CONCLUSION

Respondents/Plaintiffs, William K Walden and Andrea Walden, respectfully ask this Court for the following:

1. A reversal of the circuit court's June 4, 2020 order denying SWN's motion to intervene;
2. A directive to the circuit court to enter an order making SWN an intervening party, and to enter a new scheduling order that permits a reasonable time for SWN to participate in discovery and filing of dispositive motions; and
3. All such other relief this Court deems just.

**WILLIAM K. WALDEN and
ANDREA WALDEN,**
Respondents/Plaintiffs,
by Counsel,



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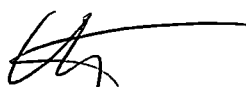
CERTIFICATE OF SERVICE

I hereby certify that on November 13th, 2020, I have served the foregoing SUMMARY RESPONSE OF RESPONDENTS/PLAINTIFFS WILLIAM K. WALDEN AND ANDREA WALDEN by mailing a true copy thereof, by regular U.S. first class mail, postage prepaid, to the following:

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