

**In the Circuit Court of Kanawha County, West Virginia**

**WW CONSULTANTS, INC.,**  
Plaintiff,

v.

Case No. CC-20-2018-C-115  
Judge Christopher C. Wilkes

**POCAHONTAS COUNTY PUBLIC  
SERVICE DISTRICT,  
MARK SMITH,**  
Defendants

**AGREED ORDER EXTENDING DEADLINE TO ISSUE EXPERT OPINIONS**

**COMES NOW** the Plaintiff, Pocahontas County Public Service District, by Counsel, Christopher D. Negley, Esq., and Shuman McCuskey Slicer PLLC, Defendant and Third-Party Plaintiff, WW Consultants, Inc., by counsel, Robert “Bo” Sweeney, Esq. and Jenkins Fenstermaker, PLLC, Third-Party Defendant Orders Construction Company, Inc., by counsel, Jack Hoblitzell, Esq., Kay, Casto & Chaney, PLLC and Third-Party Defendant, Pipe Plus, Inc., by counsel, Thomas Spears, Esq. and Daniels Law Firm and files this Agreed Order Extending the Expert Deadline.

In support of this Motion, the Parties jointly state as follows:

1. This is a complicated construction case involving multiple experts, fact witnesses and the production of thousands of pages of documents.
2. The production of document requests has been particularly difficult given that the case has been active since 2018, with new parties being added after the initial production having occurred prior to their entry.
3. Third-Party Defendant, Orders Construction, was only able to finalize its production filing last week and Defendant and Third-Party Plaintiff WW Consultants, Inc., has advised that its new production will not be finalized until this week.

4. The Scheduling Order requires Plaintiff to file its expert disclosures on or before April 19, 2024, with the Defendants disclosure deadline being on or before May 17, 2024.

5. The parties need additional time to review and evaluate the production request and to discuss the same with their respective experts.

6. The parties are seeking an extension of the expert deadlines. No other changes to the Scheduling Order are being sought.

**WHEREUPON** the parties jointly move for an Order extending the deadline for expert disclosures.

**THEREFORE**, upon the joint agreement of the parties, the Court does Order the following:

1.) Plaintiff Pocahontas County Public Service District shall file its expert disclosures on issues on which it bears the burden of proof, on or before May 17, 2024; and

2.) Defendant WW Consultants, Inc., shall file its expert disclosure on or before June 17, 2024; and

3.) Third-Party Plaintiff WW Consultants, Inc., shall file its expert disclosure on issues on which it bears the burden of proof, on or before June 17, 2024, with Third-Party Defendants Order Construction Company, Inc., and Pipe Plus, Inc., given to July 17, 2024, to file expert disclosures in response to Third-Party Plaintiff WW Consultants, Inc.'s expert disclosures.

**IT IS SO ORDERED**

Presented by:

/s/ Christopher D. Negley

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**/s/ Christopher C. Wilkes**  
Circuit Court Judge  
13th Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit [www.courtswv.gov/e-file/](http://www.courtswv.gov/e-file/) for more details.