

STATE OF WEST VIRGINIA  
SUPREME COURT OF APPEALS  
Charleston

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

**v.**

**Case No. 19-0267**

**Corey Conley et al.,  
Plaintiffs and Defendants Below, Respondents**

AUG 29 2019

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**PLAINTIFF BELOW AND RESPONDENT COREY CONLEY'S BRIEF**

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August 7, 2019

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## PLAINTIFF BELOW AND RESPONDENT COREY CONLEY'S BRIEF

Plaintiff below and Respondent Corey Conley, in response to the Petitioner SWN Production's Company, LLC's ("SWN") *Brief* states as follows:

### ARGUMENT AND CONCLUSION

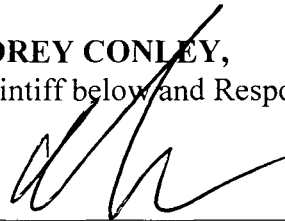
Respondent agrees with Petitioner's assignments of error and is of the opinion that the circuit court abused its discretion in denying Petitioner's right to intervene in the case below.

Indeed, Respondent and Plaintiff below hereby joins, incorporates, and otherwise adopts in their entirety the positions and legal arguments as well as the authorities in support thereof set forth in *Petitioner's Brief* filed with this Court on June 24, 2019.

Finally, it is important to emphasize that Respondent agrees with the Petitioner's contention that it has far more at stake in the underlying civil action than Respondent and that your Respondent does not have the financial resources to fully and adequately protect Petitioner's interests. *Petitioner's Brief* at pp. 27-30.

WHEREFORE, for all the reasons stated herein, Respondent respectfully asks this Court to issue an order reversing the circuit court's February 22, 2019 order denying SWN's second motion to intervene and directing 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.

**COREY CONLEY,**  
Plaintiff below and Respondent, by Counsel,



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