



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

**IN RE: FELA ASBESTOS PERSONAL
INJURY LITIGATION**

**CIVIL ACTION NO.: 02-C-9500
Honorable Jay M. Hoke**

DONALD G. CORN, SR.,

Plaintiff,

(formerly Civil Action No. 19-C-70 MCD)

vs.

**NORFOLK SOUTHERN RAILWAY
COMPANY, etc.,**

Defendant.

FINAL ORDER DISMISSING ALL CLAIMS

This day came the plaintiff by his counsel Jennifer Hoffman and Joseph J. Cappelli of Bern Cappelli LLC and Troy N. Giatras of The Giatras Law Firm, PLLC and the defendant by its counsel David A. Damico of Burns White LLC and Luke A. Lafferre of Dinsmore & Shohl, LLP.

Thereupon, the parties announced to the Court that all matters in controversy between them have been compromised and settled and jointly moved the Court to dismiss this action on the following basis:

The plaintiff's claims against defendant Norfolk Southern Railway Company herein to be dismissed, with prejudice, as fully compromised and settled, each party to pay his or its own costs.

Whereupon the Court announced it was of the opinion to sustain the motion of the parties. Accordingly, it is **ORDERED** that the plaintiff's claims against defendant Norfolk Southern Railway Company be and they are hereby **DISMISSED**, *with prejudice*, as fully compromised and settled, and further **ORDERED** that this action be, and the same hereby is, **DISMISSED** and stricken with prejudice from the docket of the court.

It is further **ORDERED** that each of the parties hereto shall bear his or its own costs of action with no statutory attorney's fee to be taxed.

ENTERED this 26th day of November, 2024.



Honorable Jay M. Hoke, Judge

Approved By:

/s/ Troy N Giatras

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