

In the Circuit Court of Kanawha County, West Virginia

Harold D. Ward,
Plaintiff,

v.

ERP Environmental Fund, Inc,
Defendant

Case No. CC-20-2020-C-282
Judge Christopher C. Wilkes

ORDER GRANTING RECEIVER'S MOTION TO SUPPLEMENT REPLY

Comes now the Court, this 11th day of March, 2025, upon the The Special Receiver's Motion to Supplement its Reply. The Receiver seeks to supplement said Reply Brief with materials it obtained less than twenty-four hours before the Reply deadline pursuant to a Freedom of Information Act request. Specifically, it wishes to supplement with minutes from the Fayette County Solid Waste Authority meeting(s). Finding good cause shown, and considering that the Receiver conducted a FOIA request and obtained the proposed supplemental materials so close to the Reply deadline, this Court GRANTS the Receiver's request. The meeting minutes, which were attached to the instant motion, are deemed filed.

It is therefore ADJUDGED and ORDERED that the instant Motion to Supplement Reply is hereby GRANTED. The Court notes the objections and exceptions of the parties to any adverse ruling herein. The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Central Office at Business Court Division, electronically.

ENTERED this 11th day of March 2025.

/s/ Christopher C. Wilkes
Circuit Court Judge
8th 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/ for more details.