



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
IN RE: FELA ASBESTOS CASES **CIVIL ACTION NO. 02-C-9500**

THIS DOCUMENT APPLIES TO:

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
KEVIN L. MERRITT,

Plaintiff,

v.

Civil Action No. 20-C-689

CSX TRANSPORTION, INC.,

Defendant.

ORDER REGARDING TRANSFER OF CASE TO MASS LITIGATION PANEL

By Administrative Order entered on April 29, 2009, the Supreme Court of Appeals of West Virginia referred “. . . all pending and subsequently filed cases in West Virginia asserting claims under FELA for personal injury and damages caused, in whole or part, from exposure to asbestos and asbestos-containing materials” to the Mass Litigation Panel (“Panel”) and transferred such cases to the Circuit Court of Kanawha County, West Virginia, for coordinated or consolidated resolution in *In Re: FELA Asbestos Cases*, Kanawha County Civil Action No. 02-C-9500.

Because the complaint filed in above-captioned case asserts a claim under FELA for personal injuries and damages caused, in whole or part, from exposure to asbestos and asbestos-containing materials, the case is **ORDERED** to be transferred for coordinated or consolidated resolution in *In Re: FELA Asbestos Cases*, Kanawha County Civil Action No. 02-C-9500.

The above-captioned case is designated for electronic filing and service, as provided in West Virginia Trial Court Rule 15.01, *et seq.*, effective April 7, 2025. To facilitate electronic filing and service in *In Re: FELA Asbestos Cases*, Civil Action No. 02-C-9500, pending in the

Circuit Court of Kanawha County, West Virginia, the number for the above-captioned case shall hereinafter be **20-C-689 KAN FELA**.

The parties shall coordinate to upload into File & Serve*Xpress*, Civil Action No. 20-C-689 KAN FELA, a copy of the previously filed complaint, previously filed answer or other response to the complaint, current scheduling order, as well as any previously filed motion and response to such motion that is currently pending, within ten (10) days after the entry of this order.

The Clerk of the Circuit Court of Kanawha County, West Virginia, is **ORDERED** to serve a copy of this Order on the Honorable Kenneth Ballard and all counsel of record in the above-captioned case. All counsel of record in *In Re: FELA Asbestos Cases*, Civil Action No. 02-C-9500 and in Civil Action No. 20-C-689 KAN FELA shall this day be electronically served with a copy of this Order via File & Serve*Xpress*.

It is so **ORDERED**.

ENTERED: April 7, 2025.

/s/ Gregory L. Howard, Jr.
Presiding Judge
FELA Asbestos Cases