

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

**MOUNTAINEER GAS COMPANY,**  
Plaintiff,

v.

Case No. CC-20-2023-C-1067  
Judge David Hammer

**WEST VIRGINIA-AMERICAN WATER  
COMPANY,**  
Defendant

**Order Vacating Scheduling Order**

On March 21, 2025, the parties filed their "Joint Motion to Amend Scheduling Order" in which they sought an approximately five month extension to certain deadlines, including the discovery completion date of June 30, 2025. The parties agreed that they had diligently worked toward complying with the September 26, 2024 Scheduling Order but that various challenges with the weather and contractor scheduling had unavoidably delayed the receipt of inspection results and consequently affected the disclosure of expert opinions and the completion of discovery.

Now that the June 30th deadline is fast approaching, the parties requested a hearing by telephone conference to address the need to modify the Scheduling Order.

The Court has closely followed the progress in this case and is persuaded that good cause exists to modify the Scheduling Order, including the setting of new expert disclosure, completion of discovery, pretrial conference, and trial dates. Therefore, the September 26, 2024 Scheduling Order is hereby VACATED.

Court staff will separately reach out to counsel to coordinate a scheduling conference via MS TEAMS to set new dates [counsel had suggested a new trial date of March 16, 2026, however, the court has a four-day trial scheduled that week which does not appear likely to settle].

The Clerk shall ensure the delivery of this ORDER to counsel.

It is so ORDERED.

**/s/ David M. Hammer**

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/](http://www.courtswv.gov/e-file/) for more details.