

IN THE CIRCUIT COURT OF JACKSON COUNTY, WEST VIRGINIA

**IN RE: MINGO COUNTY
COAL SLURRY LITIGATION**

CIVIL ACTION NO. 10-C-62

ORDER REASSIGNING JUDGES

WHEREAS on April 29, 2010, pursuant to Trial Court Rule 26.07(a), the Panel Chair, with the advice and consent of the Panel, assigned The Honorable Thomas C. Evans, III to serve as the Lead Judge presiding in the Mingo County Coal Slurry Litigation.

WHEREAS on May 26, 2010, Judge Evans notified counsel of his decision to voluntarily recuse himself from further participation in the Mingo County Coal Slurry Litigation.

NOW THEREFORE, pursuant to Trial Court Rule 26.07(a), the Panel Chair, with the advice and consent of the Panel, hereby assigns The Honorable James P. Mazzone to serve as the Lead Judge presiding in the Mingo County Coal Slurry Litigation, with The Honorable John A. Hutchison and The Honorable Jay M. Hoke to assist Judge Mazzone as Presiding Judges in the Mingo County Coal Slurry Litigation or proceedings therein. The Panel Chair further assigns The Honorable Derek C. Swope to serve as the Lead Resolution Judge in the Mingo County Coal Slurry Litigation, with The Honorable Alan D. Moats to assist Judge Swope as Resolution Judge in the Mingo County Coal Slurry Litigation or proceedings therein.

Pursuant to Trial Court Rule 26.07(a), the Panel Chair requires that, to the extent possible, appropriate measures be adopted to insure uniformity of decisions, including the requirement that all pretrial dispositive motions be decided by a majority of the Presiding

RECORDED
MAY 27 10 49 07
CLERK OF COURT

Judges assigned to preside in the Mingo County Coal Slurry Litigation or proceedings therein.

The Clerk is ORDERED to forward a copy of this Order to the Mass Litigation Manager, all Counsel of record and all self-represented parties.

ENTER: May 27, 2010


The Honorable Alan D. Moats
Chair, Mass Litigation Panel

RECORDED
MAY 27 P 10 21
CLERK OF COURTS
MINGO COUNTY
MORGANTHAU, WV