

**IN THE CIRCUIT COURT OF JACKSON COUNTY, WEST VIRGINIA****IN RE: MINGO COUNTY  
COAL SLURRY LITIGATION****CIVIL ACTION NO. 10-C-62****ORDER TRANSFERRING MINGO COUNTY COAL SLURRY LITIGATION  
AND COURT FILES FROM CIRCUIT COURT OF JACKSON COUNTY, WEST  
VIRGINIA TO CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA**

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

WHEREAS on May 27, 2010, the Chair of the Mass Litigation Panel, with the advice and consent of the Panel, reassigned The Honorable James P. Mazzone to serve as the Lead Judge presiding in the Mingo County Coal Slurry Litigation.

NOW THEREFORE, pursuant to Trial Court Rule 26.08(b), in order to facilitate the Panel's case management and trial methodologies, and with the advice and consent of the Panel, it is hereby **ORDERED** that the Mingo County Coal Slurry Litigation be transferred to the Circuit Court of Ohio County, West Virginia, and that the court files be transferred to the Circuit Court of Ohio County, West Virginia, on or before June 7, 2010.

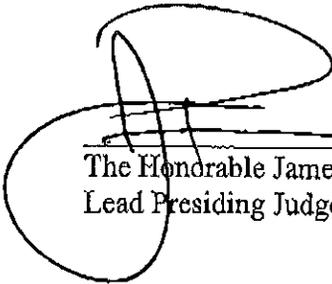
Pursuant to Trial Court Rule 26.08(b), it is further **ORDERED** that the Mingo County Coal Slurry Litigation be consolidated under the style, "*In re: Mingo County Coal Slurry Litigation*, Civil Action No. 10-C-~~5000~~ in the Circuit Court of Ohio County, West Virginia."

To accomplish the orderly transfer of court files, the Mass Litigation Manager will coordinate with the office of the Circuit Clerk of Jackson County, West Virginia, the

office of the Circuit Clerk of Ohio County, West Virginia, and the Administrative Director of the Supreme Court of Appeals to provide appropriate Court personnel to transport the court files from the Circuit Court of Jackson County to the Circuit Court of Ohio County, West Virginia.

The Circuit Clerk of Jackson County, West Virginia is **ORDERED** to forward a certified copy of this Order to Mass Litigation Manager Kimberley R. Fields, the Clerk of the Circuit Court of Ohio County, West Virginia, all Counsel of record and all self-represented parties.

ENTER: June 2, 2010



The Honorable James P. Mazzone  
Lead Presiding Judge