



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

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

CIVIL ACTION NO. 10-C-5000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER REGARDING STATUS AND SCHEDULING CONFERENCE

WHEREAS by Administrative Orders entered on March 31, 2010, and April 28, 2010, the Supreme Court of Appeals of West Virginia granted a Motion to Refer the Mingo County Coal Slurry Litigation to the Mass Litigation Panel ("Panel") and transferred those civil actions to the Panel;

WHEREAS, on June 2, 2010, pursuant to Trial Court Rule 26.08(b), Lead Presiding Judge James P. Mazzone ordered the Mingo County Coal Slurry Litigation to be transferred to the Circuit Court of Ohio County, West Virginia; the court files to be transferred to the Circuit Court of Ohio County, West Virginia on or before June 7, 2010; and the Mingo County Coal Slurry Litigation to be consolidated under the style, "*In re: Mingo County Coal Slurry Litigation*, Civil Action No. 10-C-5000, Circuit Court of Ohio County, West Virginia."

NOW THEREFORE, the Panel hereby schedules a Status and Scheduling Conference for all civil actions in the Mingo County Coal Slurry Litigation at **9:00 a.m. on the 20th day of August, 2010**, to be in the Circuit Court of Ohio County, West Virginia, in the Second Floor Courtroom, Room 228. The Mass Litigation Panel judges assigned to the Mingo County Coal Slurry Litigation will preside. All counsel of record and any self-represented parties are required to attend.

Parties shall be prepared to discuss:

1. Status of pending motions and a proposed schedule of hearings on such motions;
2. Status of pretrial discovery, including a proposed schedule of hearings on pending discovery disputes;
3. Proposed trial schedule; and
4. Prior mediation and status of settlement negotiations.

ENTER: July 1, 2010

/s/ James P. Mazzone
Lead Presiding Judge
Mingo County Coal Slurry Litigation