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IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In re: Asbestos Personal Injury Litigation **Civil Action No. 03-C-9600**

ELECTRONIC FILING AND SERVICE CASE MANAGEMENT ORDER FOR ALL ASBESTOS PERSONAL INJURY LITIGATION IN THE EXIGENT TRIAL GROUPS

All asbestos personal injury cases filed after December 8, 2008, and assigned to the exigent trial docket of Judge Ronald E. Wilson, or his successor or successors are hereby ordered to be subject to LexisNexis electronic filing and service ("e-filing and service"). All API cases filed before December 8, 2008 and assigned to Judge Ronald E. Wilson will become subject to LexisNexis electronic filing and service when the case is assigned to an asbestos trial group. The Court has determined that certain procedures must be followed to facilitate uniformity of case captions, case numbering and designation, and to maintain case and party information in any cases in the Exigent Asbestos Personal Injury Litigation that are subject to e-filing and service, or that become subject to e-filing and service in the future,

The following procedure is ORDERED to be followed by all counsel and any unrepresented parties when filing and serving documents in all cases covered by this Order.

A. Case Captions. The first page of each pleading is to contain the following information in this sequential order:

1. The name of the court where the pleading is being filed. e.g. In the Circuit Court of Kanawha County;

2. The name of the mass litigation case type and number. e.g. In re: Personal Injury Asbestos Litigation, Civil Action No. 03-C-9600;

3. A notation indicating whether the pleading applies to all cases or only a subset of cases. e.g. THIS DOCUMENT APPLIES TO ALL CASES, or THIS DOCUMENT APPLIES TO:;

4. A list of the short case title and case number of each case to which the document applies, including the initiating case number and the three-letter

county identifier. e.g. Mary E. Rogers v. ABC Corp., et al. Civil Action No. 07-C-222 WNE. (The three-letter county identifiers is attached in the **Appendix A**.);

5. If applicable, the caption is to state whether the filing is related to cases in a particular group. e.g. 2009 June Trial Group;

6. The title is to state the party and subject matter of the document. e.g. Defendant XYZ Corporation's Motion for Summary Judgment.

B. Document title section in the e-filing system. The "document title section" of the e-filing system must have the following:

1. The party or parties filing the document;

2. A descriptive title of the document;

3. The party or parties against whom relief is sought, if any;

4. The nature of relief sought; and

5. The initiating case number(s) with the three-letter county identifier (see Appendix A). For example: Defendant ABC Corporation's Motion for Summary Judgment, 08-C-123 KAN; Plaintiff Jane Smith's Motion to Compel Discovery from Defendant XYZ Corporation, 08-C-456 BNE).

C. Master Case. The Asbestos Personal Injury Litigation shall contain a master case bearing the caption: "In re: Asbestos Personal Injury Litigation Civil Action No. 03-C-9600." ***The master case file shall contain only pleadings or documents of general applicability to the Asbestos Personal Injury Litigation***, such as trial calendars, case management orders, other orders of general applicability, notices of deposition if they are not case-specific, master pleadings, master discovery and other similar documents.

When a document is intended to be applicable to all cases within the Asbestos Personal Injury Litigation, the title page of the document shall contain the notation "THIS DOCUMENT

APPLIES TO ALL CASES" and the document shall be filed in the master case. When a document is intended to be applicable to specific cases, the title page of the document shall contain the notation "THIS DOCUMENT APPLIES TO . . . ." If cases are filed in one county and civil action numbers are in sequential order, each case caption must be listed separately. If multiple plaintiffs are filed under one civil action number, each individual plaintiff to which a document applies must be listed separately. See the attached **Appendix B** for examples.

D. Pro Hac Vice Motions. A motion for admission to practice pro hac vice shall not be filed in the Master Case or in multiple cases as one transaction. The motion is to be filed in each case in which counsel seeks admission to practice and the motion is to state when the fee was paid. Rule 8.0(b) of the Rules for Admission to the Practice of Law mandates that a fee of two-hundred fifty dollars ($250) must be paid to the West Virginia State Bar "for each individual applicant in each individual pro hac vice admission." The Rule requires that each civil action with a case number is to constitute a single case. The Clerk's office is ordered to reject a motion for admission to practice pro hac vice that is filed into the Master Case or one that is using the multi-case feature

E. Procedural rules for API exigent cases.

1. New cases subject to this Order. The filing party must be a registered user of LexisNexis File & Serve and must, where applicable, notify national counsel of the required registration with LexisNexis File & Serve and their responsibility to add information about attorneys who are to receive service by using the Case & Party Management feature of the LexisNexis File & Serve system.

Within five business days after a case becomes subject to this Order the Plaintiff(s) must provide to LexisNexis, in its File & Serve electronic spreadsheet format, the case service list containing all parties and cases and their attorneys, if known.

2. New parties. Within five business days of serving an amended complaint, a third-party complaint or a pleading seeking to add a new party to a case, the moving party must add the new party's information to the LexisNexis File & Serve system using the Case & Party Management feature. The moving party is to serve a newly added party with an amended complaint or a third-party complaint pursuant to Rule 5 of the Rules of Civil Procedure. (See Trial Court Rule 15.02(b).) If a party to be added does not have a registered user, service is by serving the party with the motion or pleading pursuant to Rule 5 of the Rules of Civil Procedure.

3. Responsibility to update case and party information. If a case or party is dismissed, or there is a withdrawal or substitution of counsel, or any other event that changes case information, the moving party has five days to update the LexisNexis File & Serve system with the information necessary to effect the change in case or party status using the Case & Party Management feature.

ENTER: January 21, 2009:

Ronald E. Wilson, Judge

APPENDIX B

For a document that applies to all cases:

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In re: Asbestos Personal Injury Litigation — Civil Action No. 03-C-9600

THIS DOCUMENT APPLIES TO ALL CASES

CASE MANAGEMENT ORDER

For a document that applies to specific cases:

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In re: Asbestos Personal Injury Litigation — Civil Action No. 03-C-9600

THIS DOCUMENT APPLIES TO:

John S. Doe v. ABC Corporation, et al.	Civil Action No. 08-C-123 KAN
Jane E. Smith v. ABC Corporation, et al.	Civil Action No. 08-C-124 KAN
Jill Jones v. ABC Corporation, et al.	Civil Action No. 08-C-125 KAN
Mary E. Rogers v. ABC Corporation, et al.	Civil Action No. 07-C-222 WNE
James E. Jones v. ABC Corporation, et al.	Civil Action No. 07-C-561 BNE
Suzy Harris v. ABC Corporation, et al.	Civil Action No. 08-C-124 PNM
James Abbott (Jon Adams) v. ABC Corporation, et al.	Civil Action No. 06-C-255 OHI
James Abbott (Gail E. Harris) v. ABC Corporation, et al.	" "
James Abbott (Tammy J. Craig) v. ABC Corporation, et al.	" "
James Abbott (George Jones) v. ABC Corporation, et al.	" "
Gerald A. Cart v. ABC Corporation, et. al	Civil Action No. 06-C-555 RAL

DEFENDANT ABC CORPORATION'S MOTION TO DISMISS

APPENDIX A

West Virginia County Listing
File & Serve Abbreviations

Abbreviation	County	Judicial District
BRB	Barbour	Nineteenth Judicial Circuit
BER	Berkeley	Twenty-Third Judicial Circuit
BNE	Boone	Twenty-Fifth Judicial Circuit
BRX	Braxton	Fourteenth Judicial Circuit
BRK	Brooke	First Judicial Circuit
CBL	Cabell	Sixth Judicial Circuit
CAL	Calhoun	Fifth Judicial Circuit
CLA	Clay	Fourteenth Judicial Circuit
DOD	Doddridge	Third Judicial Circuit
FAY	Fayette	Twelfth Judicial Circuit
GIL	Gilmer	Fourteenth Judicial Circuit
GRT	Grant	Twenty-First Judicial Circuit
GRN	Greenbrier	Eleventh Judicial Circuit
HMP	Hampshire	Twenty-Second Judicial Circuit
HNK	Hancock	First Judicial Circuit
HDY	Hardy	Twenty-Second Judicial Circuit
HRR	Harrison	Fifteenth Judicial Circuit
JKN	Jackson	Fifth Judicial Circuit
JFN	Jefferson	Twenty-Third Judicial Circuit
KAN	Kanawha	Thirteenth Judicial Circuit
LWS	Lewis	Twenty-Sixth Judicial Circuit
LCN	Lincoln	Twenty-Fifth Judicial Circuit
LGN	Logan	Seventh Judicial Circuit
MRN	Marion	Sixteenth Judicial Circuit
MSH	Marshall	Second Judicial Circuit
MAS	Mason	Fifth Judicial Circuit
MCD	McDowell	Eighth Judicial Circuit
MER	Mercer	Ninth Judicial Circuit
MIN	Mineral	Twenty-First Judicial Circuit
MNG	Mingo	Thirtieth Judicial Circuit
MON	Monongalia	Seventeenth Judicial Circuit
MNR	Monroe	Thirty-First Judicial Circuit
MGN	Morgan	Twenty-Third Judicial Circuit
NIC	Nicholas	Twenty-Eighth Judicial Circuit
OHI	Ohio	First Judicial Circuit

Note: Abbreviations used in case number field on LexisNexis File Serve.

APPENDIX A

West Virginia County Listing
File & Serve Abbreviations

Abbreviation	County	Judicial District
PND	Pendleton	Twenty-Second Judicial Circuit
PLE	Pleasants	Third Judicial Circuit
PHS	Pocahontas	Eleventh Judicial Circuit
PRN	Preston	Eighteenth Judicial Circuit
PNM	Putnam	Twenty-Ninth Judicial Circuit
RAL	Raleigh	Tenth Judicial Circuit
RND	Randolph	Twentieth Judicial Circuit
RIT	Ritchie	Third Judicial Circuit
RNE	Roane	Fifth Judicial Circuit
SMR	Summers	Thirty-First Judicial Circuit
TLR	Taylor	Nineteenth Judicial Circuit
TKR	Tucker	Twenty-First Judicial Circuit
TYL	Tyler	Second Judicial Circuit
UPR	Upshur	Twenty-Sixth Judicial Circuit
WNE	Wayne	Twenty-Fourth Judicial Circuit
WBR	Webster	Fourteenth Judicial Circuit
WTZ	Wetzel	Second Judicial Circuit
WRT	Wirt	Fourth Judicial Circuit
WDE	Wood	Fourth Judicial Circuit
WMG	Wyoming	Twenty-Seventh Judicial Circuit

Note: Abbreviations used in case number field on LexisNexis File Serve.