



**IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA**

**IN RE: FLOOD LITIGATION**

**MC FLOOD 7/8/2001**

**THIS DOCUMENT APPLIES TO ALL CASES**

**ORDER DISMISSING ALL CASES WITH PREJUDICE  
AND STRIKING CASES FROM THE DOCKET**

WHEREAS, on May 17, 2010, Lead Presiding Judge John A. Hutchison and Lead Resolution Judge Booker T. Stephens entered an “Order Setting Forth Settlement Terms, Confirming Release By All Plaintiffs Represented By The Calwell Practice PLLC, James F. Humphreys & Associates, L.C. And The McGraw Law Offices Of All Mass Flood Litigation Claims Against Global Defendants, And Dismissing The Mass Flood Litigation.” [TID 31139185] at p. 15.

WHEREAS, on August 19, 2011, Lead Presiding Judge John A. Hutchison and Lead Resolution Judge Booker T. Stephens entered an “Order Approving Final Distribution of Settlement Funds,” which was filed under seal with the Clerk of the Circuit Court of Raleigh County, West Virginia, applies to the Civil Acton originally styled Charles Ashley, et al. v. Western Pocahontas Properties Limited Partnership, et al., Wyoming County Civil Action No. 03-C-117, including all amendments thereto, also referred to as Trial Group 1 – Segal Plaintiffs, approves final distribution of settlement proceeds, and dismisses the matter with prejudice as to all claims of all parties, including all Plaintiffs who previously had subrogation issues that have now been finally resolved. See “Order Regarding Final Accounting of Unclaimed Settlement Checks” entered on October 7, 2011 [TID 40250407] at pp. 1-2.

NOW THEREFORE, the Court **ORDERS** all cases in *In Re: Flood Litigation*, MC Flood 7/8/2001 (“the Flood Litigation”), pending in the Circuit Court of Raleigh County, West Virginia, dismissed with prejudice and struck from the Court’s docket. The Court shall retain jurisdiction regarding the final accounting and disbursement of any unclaimed settlement checks, including any settlement check that was returned, or that remains unclaimed or un-cashed, and will “order payment of all unclaimed settlement proceeds to an appropriate charity, absent evidence of timely distribution of such settlement proceeds.” Id. at p. 3.

ENTER: June 21, 2012

/s/ John A. Hutchison  
Lead Presiding Judge, Flood Litigation