



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: MARCELLUS SHALE LITIGATION

CIVIL ACTION NO. 14-C-3000

THIS DOCUMENT APPLIES TO ALL CASES

**ORDER GRANTING MOTION TO JOIN EXISTING MASS LITIGATION,
AND SCHEDULING STATUS CONFERENCE**

Plaintiffs, by counsel, filed a *Motion to Join Filed Cases to an Existing Mass Litigation* on March 11, 2015, seeking to join fourteen (14) civil actions with *In re: Marcellus Shale Litigation*, Civil Action Number 14-C-3000. *Carroll W. Mumma and Jo Ann Mumma v. Antero Resources Corporation, et al.*, Civil Action No. 15-C-282, was dismissed without prejudice by order entered by The Honorable Joanna I. Tabit on May 28, 2015. Consequently, thirteen (13) civil actions are now before the Court on Plaintiffs' motion.

The Court has reviewed Plaintiffs' motion, as well as oppositions to the motion filed by Defendants Antero Resources Corporation ("Antero") and Hall Drilling, LLC ("Hall"); joinders filed by Defendants Jay-Bee Production Company and Jay-Bee Oil & Gas, Inc., and Noble Energy, Inc. in the Antero and Hall oppositions; and the opposition filed by Defendant EQT Production Company. Because EQT Corporation had not answered or otherwise responded to the original complaints by agreement with Plaintiffs' counsel, it reserved the right to file a response to Plaintiffs' motion at a later date. See Footnote 1, page 3, *Memorandum of Defendant EQT Production Company in Opposition to Plaintiffs' Motion to Join Filed Cases to an Existing Mass Litigation*. Defendants CNX Gas Company, LLC and CNX Water Assets, LLC were only named in the *Mumma* case. No response was filed on behalf of those two Defendants.

The Court has considered the November 12, 2014 *Administrative Order* of the Supreme Court of Appeals of West Virginia referring the Marcellus Shale Cases to the Mass Litigation Panel, the issues presented in the Marcellus Shale Litigation and the issues presented in the

above civil actions. With the advice and consent of the Panel, the Court **FINDS** these cases are similar or related actions and, therefore, **GRANTS** the motion. The following civil actions are **ORDERED** joined with *In re: Marcellus Shale Litigation*, Civil Action No. 14-C-3000, pending in the Circuit Court of Ohio County, West Virginia:

1. Valentina Del Prete
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-258 (Kanawha County)
2. Jeffrey W. Bailey and Hendrika K. Bailey
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-259 (Kanawha County)
3. Debra Ann Mellot
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-260 (Kanawha County)
4. Frederick Eakles, Amanda Eakles, F.E., a minor and M.K.E. a minor
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-261 (Kanawha County)
5. Mirijana Beram
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-263 (Kanawha County)
6. Anthony A. Ervolina and Lyndia Fay Ervolina
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-264 (Kanawha County)
7. Anka Berman
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-265 (Kanawha County)
8. Theodore Stumpf
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-266 (Kanawha County)
9. Jonathan K. Seay and Ann Seay
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-272 (Kanawha County)

10. Wayne Woods and Christina Woods
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-280 (Kanawha County)
11. Gary Denning, II
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-283 (Kanawha County)
12. Gary Denning
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-284 (Kanawha County)
13. Gregory Fetty and Rebecca Fetty
v. Antero Resources Corporation, et al.
Civil Action No. 15-C-287 (Kanawha County)

The Panel notes and preserves the objections of any party aggrieved by this Order.

The paper court files for the above-referenced civil actions shall remain in the circuit court where the civil actions originated until further order of the Panel.

The above-referenced civil actions are designated for electronic filing and service, effective **June 22, 2015**, as provided in West Virginia Trial Court Rule 15.01, *et seq.* To facilitate electronic filing and service each civil action number will include the three-letter county identifier of the county where the civil action originated. For example, the civil action number of *Valentina Del Prete v. Antero Resources Corporation, et al.* will now read Civil Action No. 15-C-258 KAN.

A Status Conference will be held at **10:00 a.m. on June 26, 2015**, in the W. Kent Carper Justice and Public Safety Complex, 301 Virginia Street, East, **Charleston, West Virginia** 25301.

The Clerk of the Ohio County Circuit Court is **ORDERED** to send a certified copy of this Order to the Clerk of the Kanawha County Circuit Court for service on all affected judges and all parties in the above-referenced civil actions. The Chair of the Mass Litigation Panel and

all parties to *In re: Marcellus Shale Litigation*, Civil Action No. 14-C-3000, shall be served with this Order electronically.

It is so **ORDERED**.

ENTER: June 9, 2015.

/s/ Alan D. Moats
Lead Presiding Judge
Marcellus Shale Litigation