



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: MOUNTAIN STATE UNIVERSITY LITIGATION Civil Action No. 12-C-9000

THIS DOCUMENT APPLIES TO ALL CASES

ORDER REGARDING DECLARATORY JUDGMENT ACTION

On February 1, 2013, the Presiding Judges and Resolution Judges assigned to the Mountain State University Litigation held a Status Conference during which the Court ruled, *inter alia*, that Plaintiffs were to file a declaratory judgment action seeking a determination of insurance coverage in these cases within fifteen (15) days of February 1, 2013. See “Order Memorializing The Court’s Rulings During the February 1, 2013 Status Conference. (TID 49404466) As such, the declaratory judgment action is part of the Mountain State University Litigation.

Counsel is reminded that, “[e]-filing and service shall not be used to initiate a civil action or to serve a new party with an amended complaint or a third-party complaint.” See Trial Court Rule 15.02(b).

Plaintiffs are **ORDERED** to provide defendants in the declaratory judgment action with a copy of the “Order Memorializing The Court’s Rulings During the February 1, 2013 Status Conference. (TID 49404466) e-filed February 8, 2013; “Electronic Filing and Service Case Management Order” (TID 49340519) e-filed February 7, 2013; and the “Order Designating Mountain State University Litigation For Electronic Filing and Service” filed December 20, 2012.

It is so ORDERED.

ENTER: February 15, 2013

/s/ Alan D. Moats
Lead Presiding Judge
Mountain State University Litigation