



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:

TYLER KEYSER,

Plaintiff,

v.

Civil Action No. 14-C-614

**MOUNTAIN STATE UNIVERSITY, INC.,
A West Virginia corporation, CHARLES H. POLK,
and the MOUNTAIN STATE UNIVERSITY
BOARD OF TRUSTEES,**

Defendants.

ORDER GRANTING MOTION TO JOIN IN EXISTING MASS LITIGATION

Pursuant to Rule 26.09 of the West Virginia Trial Court Rules, Plaintiff Tyler Keyser moved the Mass Litigation Panel ("Panel") to join *Tyler Keyser v. Mountain State University, Inc., et al.*, Civil Action No. 14-C-614, pending before The Honorable James C. Stucky in the Circuit Court of Kanawha County, West Virginia, in the existing Mass Litigation styled *In re: Mountain State University Litigation*, Civil Action No. 12-C-9000, also pending in the Circuit Court of Kanawha County, West Virginia.

The Court has reviewed the motion, and has conferred with the Panel regarding the issues presented in the Mountain State University Litigation and the issues raised in the case filed by Plaintiff. There being no objection to the motion, with the advice and consent of the Panel the Court **GRANTS** the motion and **ORDERS** that *Tyler Keyser v. Mountain State University, Inc., et al.*, Civil Action No. 14-C-614, pending in the Circuit Court of Kanawha County, West Virginia, be joined with *In re: Mountain State University Litigation*, Civil Action No. 12-C-9000, also pending in the Circuit Court of

Kanawha County. The Court notes and preserves the objections of any party aggrieved by this Order.

The Court **ORDERS** the case file for *Tyler Keyser v. Mountain State University, Inc., et al.*, Civil Action No. 14-C-614, moved from the general civil actions filed in the Circuit Court of Kanawha County and placed with the case files for *In re: Mountain State University Litigation*, Civil Action No. 12-C-9000, also pending in the Circuit Court of Kanawha County. The parties are hereby notified this case shall be subject to electronic filing and service, **effective March 31, 2014**. The civil action number for the *Keyser* case will be **Civil Action No. 14-C-614 KAN** to facilitate electronic filing and service. This civil action number shall be used on all future filings, as provided in Trial Court Rule 15.01 *et seq.*

The parties are further notified that mediation has been ordered to be reconvened in this litigation, and that mediation is scheduled to take place, **at 9:00 a.m. on, March 26, 2014, at Embassy Suites, 300 Court Street, Charleston, West Virginia 25301**, and continuing from day to day thereafter at the discretion of the Resolution Judges.

The Clerk of the Kanawha County Circuit Court is **ORDERED** to send a certified copy of this Order to The Honorable James C. Stucky. All parties to *In re: Mountain State University Litigation*, Civil Action No. 12-C-9000, are hereby served with this Order electronically.

It is so **ORDERED**.

ENTER: March 27, 2014

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