



IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION
(Individual Personal Injury Cases)

CIVIL ACTION NO. 00-C-5000
(Judge Arthur M. Recht)

ORDER REGARDING JULY 11, 2016 HEARING

On July 11, 2016, the Court held a status conference to address claims brought by certain plaintiffs asserting claims of injury from the use of smokeless tobacco products. Smokeless tobacco claims were severed from this litigation approximately 15 years ago by order dated December 3, 2001. In 2016, certain plaintiffs sought to activate those claims. The Court directed that plaintiffs file a list of any cases they sought to activate by June 27, 2016. On June 27, 2016, the Court was provided with a list of 20 such cases. On July 6, 2016, the Court was provided with a list of an additional 21 cases. Defendants contend that the smokeless tobacco claims severed in 2001 have all remained inactive for more than 15 years and they assert that the claims were abandoned and should be dismissed. Plaintiffs in the 41 cases referenced disagree.

The Court hereby ORDERS defendants to submit a motion directed to the issue, as well as any other threshold issue they seek to address at this time, no later than September 26, 2016. Plaintiffs shall file their opposition no later than October 26, 2016. After the matter has been briefed, the Court will set a hearing date.

It is so ORDERED.

ENTER: July 26, 2016.

/s/ Arthur M. Recht
Senior Status Judge
In Re: Tobacco Litigation

PRESENTED BY:

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