



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

**IN RE: WATER CONTAMINATION LITIGATION**

**CIVIL ACTION 16-C-6000**

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**THIS DOCUMENT APPLIES TO ALL CASES**

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**ORDER**

By order dated November 3, 2016, the Court granted the parties' joint motion and stayed these proceedings for 90 days based upon a tentative class settlement reached in the case of *Crystal Good, et al. v. American Water Works Company, Inc. et al*, Civil Action No. 2:14-01374, now pending in the United States District Court for the Southern District of West Virginia. *Agreed Order to Stay Proceedings for 90 Days* (Transaction ID 59785673) The proposed settlement includes all claims against both West Virginia-American Water Company (along with American Water Works Company, Inc., and American Water Works Service Company, Inc.) and Eastman Chemical Company. The proposed class settlement is intended to include all residents and businesses (and associated hourly wage earners) served by the Kanawha Valley Water Treatment Plant during the January 9, 2014 water contamination of the Elk River and the water system, including, but not limited to, the plaintiffs in all pending cases in both State and Federal Court and any persons or businesses which previously opted out of the *Crystal Good* action.

The stay was extended for 90 days by order entered January 31, 2017. (Transaction ID 60138896)

The parties continue to work on the settlement agreement and related documents. On April 21, 2017, Judge Copenhaver entered an order directing the parties to finalize and file the petition for preliminary approval of the settlement on or before Thursday, April 27, 2017. The

order further provides that “[i]n the event a proposed settlement agreement is not filed by that date, the court hereby schedules a pretrial conference for 1:30 p.m. on May 19, 2017. Trial is rescheduled for 9:30 a.m. on June 6, 2017.” Consistent with the order, the parties anticipate filing the signed settlement agreement and a motion for preliminary approval on or before the Court’s April 27, 2107 deadline.

The Plaintiffs and Defendants therefore seek to extend the stay of proceedings in this Court to permit the settlement approval process to move forward in the *Good* action.

The Court hereby FINDS that the motion is well-taken and hereby ORDERS that these proceedings be further STAYED for 90 days from the date of entry of this ORDER.

ENTER: April 26, 2017.

/s/ Alan D. Moats  
Lead Presiding Judge  
Water Contamination Litigation

AGREED to by:

s/ Anthony J. Majestro  
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