

IN THE CIRCUIT COURT OF LINCOLN COUNTY, WEST VIRGINIA
COUNTY COMMISSION OF LINCOLN
COUNTY, WEST VIRGINIA
Plaintiff,

v.

Civil Action No. 17-C-41
(Hon. Jay M. Hoke)

WEST VIRGINIA-AMERICAN WATER
WORKS COMPANY, INC.; EASTMAN
CHEMICAL COMPANY; GARY
SOUTHERN; DENNIS P. FARRELL;
WILLIAM E. TIS; CHARLES E. HERZING;
ROBERT J. REYNOLDS; AND MICHAEL
E. BURDETTE

Defendants

ORDER

Pending before the Presiding Judges assigned to *In re: Water Contamination Litigation*, Civil Action No. 16-C-6000, pending in the Circuit Court of Kanawha County, West Virginia, are Defendant Eastman Chemical Company's *Motion to Join in Existing Mass Litigation and to Stay* (Transaction ID 60595914), filed on May 12, 2017 and the *Motion of West Virginia-American Water Company, Inc. to Join This Action with the Pending MLP Action Styled "In re: Water Contamination Litigation," Civil Action No. 16-C-6000 And to Stay Proceedings* (Transaction ID 60646425). The Presiding Judges have reviewed and maturely considered the motions and the responses and replies to the motions, as well as the January 28, 2016, Supreme Court Administrative Order authorizing the Mass Litigation Panel to transfer and join with the existing Mass Litigation any similar or related actions subsequently filed in any circuit court of West Virginia. The Court has also considered the issues presented in the Water Contamination Litigation.

With the advice and consent of the Panel, the Presiding Judges GRANT the motions to join in existing Mass Litigation filed by Eastman Chemical Company and West Virginia-

American Water Company and ORDER the above-captioned civil action joined with *In re: Water Contamination Litigation*, Civil Action No. 16-C-6000, pending in the Circuit Court of Kanawha County, West Virginia.

Pursuant to a series of agreed orders, the Presiding Judges stayed proceedings in *In re: Water Contamination Litigation*, Civil Action No. 16-C-6000, to permit counsel for the plaintiffs in both the federal and MLP litigation to effectuate the tentative global class settlement reached in the case of *Crystal Good, et al. v. American Waterworks Company, et al*, Civil Action No. 2:14-01374, now pending in the United States District Court for the Southern District of West Virginia. The Presiding Judges entered the most recent stay order on April 26, 2017 (Transaction ID 60523224). Accordingly, the Presiding Judges GRANT the motions to stay all proceedings in this civil action.

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

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

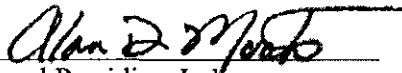
The above-captioned civil action is designated for electronic filing and service, effective, **June 19, 2017**, as provided in West Virginia Trial Court Rule 15.01, *et seq.* To facilitate electronic filing and service each civil action number will include the three-letter county identifier of the county where the civil action originated. For example, the above captioned civil action number will now read Civil Action No. 17-C-41 LCN.

The Clerk of the Circuit Court of Lincoln County, West Virginia, shall serve a certified copy of this Order on The Honorable Jay M. Hoke and all counsel of record in the above-captioned civil action, and the Clerk of the Circuit Court of Kanawha County, West Virginia.

All parties to *In re: Water Contamination Litigation*, Civil Action No. 16-C-6000, shall be served with a copy of this order via File & ServeXpress.

It is so ORDERED.

ENTER: June 12, 2017.


Lead Presiding Judge
Water Contamination Litigation

