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IN THE CIRCUIT COURT OF RALEIGH COUNTY, WEST VIRGINIA

LLOYD MICHAEL NOLAND, R.N.

Plaintiff,

v.

Civil Action No. 01-C-609-B
Judge: Burnside

**VIRGINIA INSURANCE
RECIPROCAL, and THE
RECIPROCAL GROUP, INC.,** a
Virginia Corporation; **LISA HYMAN,**
individually; **COVERAGE OPTIONS
ASSOCIATES,** aka **KENTUCKY
HOSPITAL SERVICE COMPANY OF
KENTUCKY,** a Kentucky Limited
Liability Company; **KENTUCKY
HOSPITAL ASSOCIATION,**
a Kentucky Corporation; and
RICHARD STOCKS, individually,

Defendants.

ORDER

On March 5, 2008, a status conference and hearing on three pending motions for reconsideration filed by Plaintiff Lloyd Michael Noland were scheduled to be considered. Present at the hearing were Perry W. Oxley and Scott W. Andrews, counsel for Plaintiff; Robert L. Massie, counsel for ACE-USA; Joshua I. Barrett and Lonnie C. Simmons, counsel for Defendants Virginia Insurance Reciprocal, The Reciprocal Group, Inc., Lisa Hyman, and Coverage Options Associates; and Jeffrey M. Wakefield, counsel for Defendant Richard Stocks.

After reviewing the pleadings and considering the arguments of counsel, the Court does hereby **ADJUDGE, ORDER, and DECREE** that:

1. The motions for reconsideration filed by Plaintiff following this Court's rulings on July 25, 2003, December 20, 2006, and March 12, 2007, hereby

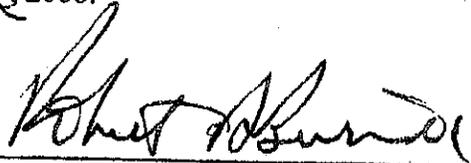
are denied. While the Court recognizes valid issues were raised in these motions, ultimately, the Court denies these motions because the Court believes its initial rulings are correct.

2. At this hearing, counsel for Plaintiff further made the argument that the ruling by the Circuit Court of Kanawha County in an order entered October 22, 2007, in the case styled *Noel v. Cigna Insurance Co., et al.*, Civil Action No. 98-C-1868, dismissing the contribution claim asserted by Appalachian Regional Hospital, Inc., d/b/a Beckley Appalachian Regional Hospital against Plaintiff, constitutes a further basis for reconsideration. The Court stated at the hearing that while this argument would be considered and noted in the order, the Court still denies the pending reconsideration motions.
3. Pursuant to Rule 54(b) of the West Virginia Rules of Civil Procedure and based upon the request of counsel for Plaintiff, without objections from Defendants, the Court finds the rulings issued on July 25, 2003, December 20, 2006, and March 12, 2007, are final judgments, now that the pending reconsideration motions have been denied, and the Court further finds there is no just reason for delay. Therefore, the Court specifically finds that the rulings issued on July 25, 2003, December 20, 2006, and March 12, 2007, are final judgments as of the date the present **ORDER** is entered, permitting any aggrieved party the right to file an appeal from such final judgments to the West Virginia Supreme Court within four months after the entry of this **ORDER**.

The objection and exception of Plaintiff and Defendants either to the present **ORDER** or to the Court's final rulings issued on July 25, 2003, December 20, 2006, and March 12, 2007, are noted for the record.

The Clerk is ordered to mail a certified copy of this **ORDER** to all counsel of record.

ENTERED this 28 day of March, 2008.

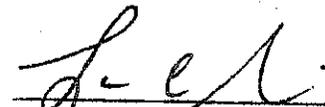


Honorable Judge Robert A. Burnside, Jr.

Inspected by:


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The foregoing is a true copy of an order entered in this office on the 28 day of March, 2008 of Fai
JANICE B. DAVIS, Circuit Clerk of
Raleigh County, West Virginia
By: 