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11/12/2014

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Company Name: Supreme Court of Appeals of West Virginia

To: Honorable Alan D. Moats (304) 265-0459
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Comments:

Marcellus Shale Cases referred to the Mass Litigation Panel – See the attached order

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

In Re: Motions to Refer Marcellus Shale Cases to the Mass Litigation Panel

Robert Andrews, et al. vs. Antero Resources Corporation, et al., Harrison County Case No. 13-C-434-3;

David W. Stutler and Blanche K. Stutler vs. Antero Resources Corporation, et al., Harrison County Case No. 14-C-242-3; and

James C. Shreves and Eva L. Shreves vs. Antero Resources Corporation, et al., Ritchie County Case No. 14-C-20

In a prior order entered July 30, 2014, the Chief Justice directed the Mass Litigation Panel, pursuant to the provisions of Trial Court Rule 26.06(c)(2), to conduct a hearing, to receive evidence, and to entertain arguments by the parties or any judge relative to the issue of whether these cases should be referred to the Mass Litigation Panel, and to submit findings of fact and a recommendation to the Chief Justice, including a specific list of the cases affected by the recommendation.

On September 9, 2014, the Mass Litigation Panel conducted a hearing and heard argument of counsel in support of and in opposition to the motion to refer, and received evidence relating to the motion.

On November 7, 2014, the "Findings of Fact, Conclusions of Law and Recommendation of the Mass Litigation Panel" ("Panel's Recommendation"), together with a copy of the hearing transcript, were submitted to the Chief Justice.

The Chief Justice has reviewed the motions to refer, reply memoranda, the Panel's Recommendation, and the hearing transcript. The Chief Justice is of the opinion that the motions to refer should be granted; that it is appropriate to transfer all cases identified in Exhibit A attached to the Panel's Recommendation to the Mass Litigation Panel; and further, that the Mass Litigation Panel is authorized to transfer and join with the existing Mass Litigation any similar or related actions subsequently filed in any circuit court.

IT IS, HEREBY, ORDERED, pursuant to Trial Court Rule 26.06(c)(3), that the motions to refer the above-referenced proceedings to the Mass Litigation Panel be, and hereby are GRANTED, and the cases listed in the attached Exhibit A are transferred to the Mass Litigation Panel for further proceedings.

IT IS FURTHER ORDERED, that the Mass Litigation Panel is authorized to transfer and join with the existing Mass Litigation any similar or related actions subsequently filed in any circuit court.

IT IS FURTHER ORDERED, that a copy of this Order be transmitted to the Honorable Alan D. Moats, Chair of the Mass Litigation Panel; the Honorable James A. Matish and the Honorable Thomas A. Bedell, Judges of the Fifteenth Judicial Circuit; the Honorable Timothy L. Sweeney, Judge of the Third Judicial Circuit; the Honorable Michael John Aloi, Judge of the Sixteenth Judicial Circuit; the Honorable Charles E. King Jr., the Honorable Louis H. Bloom, and the Honorable James C. Stucky, Judges of the Thirteenth Judicial Circuit; the Honorable Russell M. Clawges, Judge of the Seventeenth Judicial Circuit; the Mass Litigation Manager; and the Circuit Clerks of Doddridge, Harrison, Ritchie, Marion, Pleasants, Kanawha, and Monongalia Counties.

IT IS FURTHER ORDERED, that the Circuit Clerks of Doddridge, Harrison, Ritchie, Marion, Pleasants, Kanawha, and Monongalia Counties record this Order—together with the attached Exhibit A—in each of the cases identified in Exhibit A that are pending in their county and provide copies of the same to all parties of record or their counsel.

IT IS FURTHER ORDERED, that the Circuit Clerks of Doddridge, Harrison, Ritchie, Marion, Pleasants, Kanawha, and Monongalia Counties take no further action with regard to the case files until direction is received in writing from a member of the Mass Litigation Panel, and/or the Chief Justice of the Supreme Court of Appeals.

IT IS FURTHER ORDERED, that all proceedings be conducted as provided by law.

ENTERED: NOVEMBER 12, 2014



ROBIN JEAN DAVIS
Chief Justice

Attest:



Rory L. Perry II, Clerk
Supreme Court of Appeals

Case No.	Date Filed	Judge	Defendants	Plaintiff	Case No.	Date Filed	Judge	Defendants	Plaintiff	Case No.	Date Filed	Judge	Defendants	Plaintiff	Case No.	Date Filed	Judge	Defendants	Plaintiff
Doddridge	14-C-23	6/2/2014	Sweeney	Antero/Hall	Watson	Ricky Lee	3557 Milletus Rd.	Salem	WV	26426									
Doddridge	14-C-27	6/12/2014	Sweeney	Antero/Hall	Trent	Deborah S.	8549 W.V. Rt. 18 S.	New Milton	WV	26411									
Doddridge	14-C-27	6/12/2014	Sweeney	Antero/Hall	Trent	Jake O. (Incapacitated adult)	8549 W.V. Rt. 18 S.	New Milton	WV	26411									
Doddridge	14-C-30	6/23/2014	Sweeney	Antero/Hall	Cockey-Butler	William L.	8549 W.V. Rt. 18 S.	New Milton	WV	26411									
Doddridge	14-C-29	6/23/2014	Sweeney	Antero/Hall	Mohr	Sarah "Sally" L.	699 Retriever Run Rd.	West Union	WV	26456									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Andrews	Jodi Nichols	2328 Milletus Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Andrews	Deborah G.	1461 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Ascraft	Robert L.	1461 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Ascraft	Katherine	1155 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Feathers	Rodney	1155 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Golden	Lindsey N.	1742 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Golden	April Heather	1336 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Golden	Mathew Hunter (Minor)	1336 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Golden	Robert	1336 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Kinney	Daniel L.	1104 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Kinney	Sharon L.	1104 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Mazer	Charles S.	1742 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Mazer	Charles A.	1742 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Mazer	Douglas A.	1742 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Mazer	Shawn A.	1742 Stillhouse Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Mazer	Susan J.	115 East St.	Sistersville	WV	26175									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	McWilliams	Gregg	Rt. 5 Box 1194	Salem	WV	26428									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Milkowski	Mary	Rt. 5 Box 1194	Salem	WV	26428									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Nutt	David Scott	1104 Cherry Camp Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Siders	Betty Loretta	457 Haymond Woods Rd.	Salem	WV	26426									
Harrison	13-C-434-3	10/10/2013	Matish	Antero/Hall	Siders	Robert	457 Haymond Woods Rd.	Salem	WV	26426									
Harrison	14-C-242-3	5/20/2014	Matish	Antero/Hall	Stutler	Blanche K.	Rt. 1 Box 271-D	Lost Creek	WV	26385									



Harrison	14-C-242-3	5/20/2014	Mathis	Antero/Hall	Stutler	David W.	Rt. 1 Box 271-D	Lost Creek	WV	26385
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Strother	Adam (minor)	3787 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Strother	Lauren (minor)	3787 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Strother	Loren	4011 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Strother	Trisha (minor)	3787 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Zwiebel	Robert	3766 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Zwiebel	Tessa	3766 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/11/2014	Bedell	Antero/Hall	Zwiebel	Zachary	3766 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/13/2014	Bedell	Antero/Hall	Bowen	Robert	3738 Hall Run Rd.	Salem	WV	26426
Harrison	14-C-279-2	6/13/2014	Bedell	Antero/Hall	Bowen	Shirley	3738 Hall Run Rd.	Salem	WV	26426
Marion	14-C-250	8/20/2014	Aloi	Antero/Hall	Hertfinger	Ashley B.	RR 1 Box 269	Lost Creek	WV	26385
Marion	14-C-250	8/20/2014	Aloi	Antero/Hall	Hertfinger	James Bradley	RR 1 Box 269	Lost Creek	WV	26385
Pleasants	14-C-21	8/20/2014	Sweeney	Antero/Hall	Jones	Ellen L.	Rt. 1 Box 272	Lost Creek	WV	26385
Pleasants	14-C-21	8/20/2014	Sweeney	Antero/Hall	Jones	Kenneth	Rt. 1 Box 272	Lost Creek	WV	26385
Kanawha	14-C-1503	8/21/2014	Stucky	Antero/Hall	Woodard	Zoe A.	Rt. 1 Box 273-D	Lost Creek	WV	26385
Kanawha	14-C-1503	8/20/2014	Stucky	Antero/Hall	Woodard	Bobby Lee	Rt. 1 Box 273-D	Lost Creek	WV	26385
Kanawha	14-C-1500	8/20/2014	Bloom	Antero/Hall	Woodard	Estie	Rt. 1 Box 277-A	Lost Creek	WV	26385
Kanawha	14-C-1500	8/20/2014	Bloom	Antero/Hall	Woodard	Nathan W.	Rt. 1 Box 277-A	Lost Creek	WV	26385
Harrison	14-C-382-2	8/27/2014	Bedell	Antero/Hall	Shaw	Alexis A. (Minor)	Rt. 1 Box 271-D	Lost Creek	WV	26385
Harrison	14-C-382-2	8/27/2014	Bedell	Antero/Hall	Stutler	David Brady	Rt. 1 Box 271-D	Lost Creek	WV	26385
Harrison	14-C-382-2	8/27/2014	Bedell	Antero/Hall	Stutler	Haylee (Minor)	Rt. 1 Box 271-D	Lost Creek	WV	26385
Harrison	14-C-382-2	8/27/2014	Bedell	Antero/Hall	Stutler	Nicole A.	Rt. 1 Box 271-D	Lost Creek	WV	26385
Kanawha	14-C-1548	8/25/2014	King	Antero/Hall	Matheny	Judith K.	Rt. 1 Box 267	Lost Creek	WV	26385
Ritchie	14-C-20	5/19/2014	Sweeney	Antero/Hall	Shreves	Eva	3770 Oxford Rd.	Pullman	WV	26421
Ritchie	14-C-20	5/19/2014	Sweeney	Antero/Hall	Shreves	James	3770 Oxford Rd.	Pullman	WV	26421
Kanawha	14-C-1529	8/22/2014	Zakabo	Antero/Hall	Mutter	Vickie	3185 Pike Rd.	Ellenboro	WV	26346
Doddridge	14-C-45	8/28/2014	Sweeney	Antero/Hall	Pitcock	Diane L.	346 Brushy Fork Rd.	New Milton	WV	26411
Doddridge	14-C-45	8/28/2014	Sweeney	Antero/Hall	Pitcock	John F.	346 Brushy Fork Rd.	New Milton	WV	26411
Doddridge	14-C-45	8/28/2014	Sweeney	Antero/Hall	Pitcock	Joshua M. (Minor)	346 Brushy Fork Rd.	New Milton	WV	26411
Monongalia	14-C-668	8/29/2014	un-assigned	Antero/Hall	Griffith	Georgette B.	Rt. 1 Box 205-E	Lost Creek	WV	26385
Monongalia	14-C-668	8/29/2014	un-assigned	Antero/Hall	Griffith	James R.	Rt. 1 Box 205-E	Lost Creek	WV	26385

Classes