



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In re: Asbestos Personal Injury Litigation

Civil Action No. 03-C-9600

THIS DOCUMENT APPLIES TO ALL CASES

ORDER AMENDING ATTACHMENT B TO
AMENDMENT TO PARAGRAPH 27 OF THE
2012 ASBESTOS CASE MANAGEMENT ORDER

The Court hereby amends the form set forth in Attachment B to the Court's *Amendment to Paragraph 27 of the 2012 Asbestos Case Management Order* (Transaction ID 76737413).

If all claims have been resolved against all Defendants in an action and all orders of dismissal or stipulations of dismissal have been entered, but one or more Defendants have filed a petition in a bankruptcy court of competent jurisdiction that has not formed a trust to pay such claims, counsel for the Plaintiff shall file a "Notice of Final Dismissal of Pending Claims **EXCEPT** for Claims Against a Defendant or Defendants Who Have Filed Bankruptcy." **The Plaintiff must use the form set forth in Amended Attachment B.**

The Notice shall identify with particularity each Defendant who has filed bankruptcy but has not formed a trust to pay such claims, the court in which the bankruptcy proceeding is pending, including the case number and the date of filing of the bankruptcy. The Notice shall set forth that the Clerk of this Court shall close the case statistically and remove it from the active docket of this Court, but the Plaintiff shall have the right to petition this Court to re-open the case upon remand or lifting of the stay by the bankruptcy court by filing a petition within one hundred and eighty (180) days of the said remand or lifting of the stay by the bankruptcy court, for this Court to litigate any claim, approve the settlement of any claim or to order the distribution of any wrongful death settlement in accordance with the wrongful death distribution statute. If no petition to reopen a matter is filed within one hundred and eighty (180) days of the bankruptcy court remanding a case

or lifting the bankruptcy stay, the matter shall be automatically deemed to have been dismissed with prejudice by this Court and shall not later be reopened.

A copy of this Order has been electronically served on all counsel of record via File & Serve*Xpress*.

It is so ORDERED.

ENTERED: September 4, 2025.

/s/ Jack Alsop
Presiding Judge
Asbestos Personal Injury Litigation

AMENDED ATTACHMENT B

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In re: Asbestos Personal Injury Litigation

Civil Action No. 03-C-9600

THIS DOCUMENT APPLIES TO:

JANE DOE ADMINISTRATRIX
OF THE ESTATE OF JOHN DOE,

Plaintiffs,

v.

Civil Action No. 20-C-123 KAN

ABC, Inc., et al.,

Defendants.

**NOTICE OF FINAL DISMISSAL OF PENDING CLAIMS EXCEPT FOR CLAIMS
AGAINST A DEFENDANT OR DEFENDANTS WHO HAVE FILED BANKRUPTCY**

This Court being informed by Counsel for Plaintiffs that the above civil captioned action has been resolved, and any pending claims are being voluntarily dismissed, it is hereby **ORDERED** that all claims against Defendants are **DISMISSED** with prejudice **EXCEPT** for the following Defendants which have filed a petition in a bankruptcy court of competent jurisdiction that has not formed a trust to pay such claims:

Defendant	Case Number	Date of Bankruptcy Filing
XYZ Corporation	22-BK-1001	January 1, 2021
LMN Corporation	23-BK-1002	February 1, 2022

The Clerk of this Court shall close this case statistically and remove it from the active docket of this Court, but Plaintiffs shall have the right to petition this Court to re-open the case upon remand or lifting of the stay by the bankruptcy court by filing a petition within one hundred and eighty (180) days of the said remand or lifting of the stay by the bankruptcy court, for this Court to litigate any claim, approve the settlement of any claim or to order the distribution of any

AMENDED ATTACHMENT B

wrongful death settlement in accordance with the wrongful death distribution statute. If no petition to reopen a matter is filed within one hundred and eighty (180) days of the bankruptcy court remanding a case or lifting the bankruptcy stay, the matter shall be automatically deemed to have been dismissed with prejudice by this Court and shall not later be reopened.

It is further **ORDERED** that any pending *pro hac vice* admissions are withdrawn, and this matter is closed.

A copy of this Order has been electronically served on all counsel of record via File & ServeXpress.

ENTERED:

Presiding Judge
Asbestos Personal Injury Litigation

Presiding Judge
Asbestos Personal Injury Litigation

PREPARED BY:

/s/NAME
NAME (WV State Bar #10861)
FIRM
ADDRESS 1
ADDRESS 2
PHONE NUMBER
Counsel for Plaintiffs