



IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

In Re: Asbestos Personal Injury Litigation

Exigent Trial Group

Judge Ronald E. Wilson

Civil Action No. 03-C-9600

THIS DOCUMENT APPLIES TO ALL CASES

ORDER DESIGNATING ELECTRONIC FILING AND SERVICE

WHEREAS, pursuant to West Virginia Trial Court Rule 15.02(c), the Mass Litigation Panel (“Panel”) determined that it was appropriate for certain Asbestos Personal Injury Litigation to be subject to electronic filing and service (“e-filing and service”); and

WHEREAS, the Panel entered an order on November 3, 2008, requiring that subsequent filings in all asbestos personal injury cases initiated after December 8, 2008 were subject to e-filing and service;

NOW THEREFORE, pursuant to Trial Court 15.02(c) and consistent with the “Electronic Filing and Service Case Management Order For All Asbestos Personal Injury Litigation In The Exigent Trial Groups” entered on January 21, 2009, the Panel **ORDERS** that subsequent filings in all asbestos personal injury cases filed before December 8, 2008, and assigned to the exigent trial docket of Judge Ronald E. Wilson or his successor or successors will become subject to e-filing and service when the case is assigned to an asbestos trial group.

The Panel reminds the parties that, pursuant to Trial Court 15.02(b), e-filing and service shall not be used to initiate a civil action or to serve a new party with an amended complaint or a third-party complaint.

The Panel further reminds the parties that, within **five (5) business days** of a case being assigned to an asbestos trial group, plaintiffs are **ORDERED** to provide LexisNexis with a case specific service list containing all parties and any known corresponding representation in the editable electronic spreadsheet format specified by LexisNexis File & Serve. Following is the link to the editable electronic spreadsheet: <http://www.lexisnexis.com/documents/335-20081208120111.xls> . Plaintiffs shall email their spreadsheet to the LexisNexis Data Integrity Group at the following email address: lngcl-efile-di@lexisnexis.com .

Within **five (5) business days** from the date the LexisNexis Data Integrity Group uploads the case specific service list for a case assigned to an asbestos trial group, plaintiffs are **ORDERED** to e-file the “Filed” stamped copy of their Complaint and Civil Case Information Statement in .pdf format into LexisNexis File & Serve using only the document types “Filed Complaint” or “Filed Class Action Complaint” and “Civil Case Information Sheet – Complaint” in the transaction. There will be no LexisNexis transaction fee associated with this transaction. While LexisNexis may send a courtesy email notifying plaintiffs that a new case has been uploaded and is available on File & Serve, it is plaintiffs’ responsibility to check LexisNexis in order to determine when the case specific service list for a new case has been uploaded.

The Panel further reminds the parties that registration and training for e-filing and service is mandatory. To register with LexisNexis and to make arrangements for training, contact the **LexisNexis Customer Service Department at 1-888-529-7587** or <http://www.lexisnexis.com/fstraining/>. Counsel are responsible for regularly checking the LexisNexis Resource Center for updates to West Virginia Attorney Special Instructions,

Frequently Asked Questions, File & Serve Newsletters and any other resources periodically posted by LexisNexis to assist parties with appropriate procedures and best practices for successful e-filing and service.

ENTER: May 20, 2009

/s/ Alan D. Moats
Chair, Mass Litigation Panel