

IN THE CIRCUIT COURT OF MONONGALIA COUNTY, WEST VIRGINIA

**UNIVERSITY COMMONS RIVERSIDE
HOME OWNERS ASSOCIATION, INC.**
on Its Own Behalf and on Behalf of Its
Members and Individual Unit Owners,

Plaintiff,

v.

Civil Action Number 09-C-85

**UNIVERSITY COMMONS
MORGANTOWN, LLC, et al.**

Defendants.

**UNIVERSITY COMMONS RIVERSIDE
HOME OWNERS ASSOCIATION, INC.**
on Its Own Behalf and on Behalf of Its
Members and Individual Unit Owners,

Plaintiff,

v.

Civil Action Number 10-C-637

R.E. CRAWFORD CONSTRUCTION, INC., et al.

Defendants.

**ORDER DESIGNATING UNIVERSITY COMMONS
LITIGATION FOR ELECTRONIC FILING AND
SERVICE AND SCHEDULING STATUS CONFERENCE**

The Panel has determined that it is appropriate for the University Commons Litigation to be subject to electronic filing and service ("e-filing and service"). Pursuant to West Virginia Trial Court Rule 15.02(c), the Panel **ORDERS** that all civil actions in the University Commons Litigation shall be designated for e-filing and service beginning on **June 24, 2013**, as provided in Trial Court Rule 15.01 *et seq.* All documents filed prior to **June 24, 2013**, shall be filed in the Circuit Court of Monongalia County, West

Virginia. Additionally, any oversized documents that cannot be electronically filed and any documents that the Court orders to be placed under seal in the court file will be traditionally filed in the Circuit Court of Monongalia County, West Virginia.

Registration and training for e-filing and service is mandatory. If a party is not registered with File & ServeXpress by June 24, 2013, the party will not receive e-service of documents in the University Commons Litigation. Even if a party has registered and received training for e-filing and service in other Mass Litigation cases, there will be specific training for e-filing and service in the University Commons Litigation that all parties must receive. Communications will be forthcoming from File & ServeXpress regarding registration and training, but the File & ServeXpress Customer Service Department may be reached at 1-888-529-7587 if you have any questions.

The Panel reminds the parties that, pursuant to Trial Court Rule 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 **ORDERS** that a Status and Scheduling Conference for the University Commons Litigation will be held at 10:00 a.m. on July 9, 2013, in the Circuit Court of Taylor County, West Virginia, in Judge Alan D. Moats' Courtroom on the Second Floor, located at 214 W. Main Street, Grafton, West Virginia 26354. The Panel judges assigned to the University Commons Litigation will preside. All counsel of record and any self-represented parties are **ORDERED** to attend and shall be prepared to discuss:

1. Appointment of Liaison Counsel;
2. *Pro hac vice* admissions;

- 3. Status of pretrial discovery;
- 4. Status of pending discovery motions and dispositive motions;
- 5. Proposed trial schedule;
- 6. Prior mediation and status of settlement negotiations; and
- 7. Status of implementation of electronic filing and service.

The Clerk is **ORDERED** to provide a certified copy of this Order via electronic mail to Mass Litigation Manager Kimberley R. Fields at kim.fields@courtswv.gov, and via U.S. Mail to all counsel of record and all self-represented parties.

ENTER: May 23, 2013

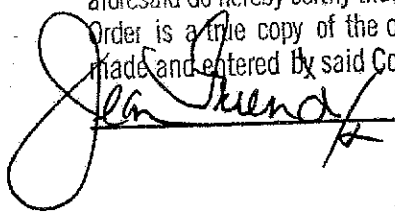

 The Honorable Alan D. Moats
 Chair, Mass Litigation Panel

ENTERED May 23, 2013
 DOCKET LINE #: 1175/724
 JEAN FRIEND, CIRCUIT CLERK



STATE OF WEST VIRGINIA SS:

I, Jean Friend, Clerk of the Circuit Court and Family Court of Monongalia County State aforesaid do hereby certify that the attached Order is a true copy of the original Order made and entered by said Court.


 Circuit Clerk