

IN THE CIRCUIT COURT OF WETZEL COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

MARKWEST LIBERTY MIDSTREAM &
RESOURCES, L.L.C.,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 16-C-66
Hon. H. Charles Carl, III

BILFINGER WESTCON, INC.,

Defendant/Counterclaim Plaintiff
/Third-Party Plaintiff,

v.

MARKWEST LIBERTY BLUESTONE, L.L.C.,
MPLX LP, MARKWEST ENERGY PARTNERS LP,

Third-Party Defendants.

AGREED ORDER OF DISMISSAL

This day came Plaintiff/Counterclaim Defendant MarkWest Liberty Midstream & Resources, L.L.C. ("MarkWest"), by counsel, Defendant/Counterclaim Plaintiff/Third-Party Plaintiff Bilfinger Westcon, Inc. ("Westcon"), by counsel, and Third-Party Defendants MarkWest Liberty Bluestone, L.L.C., MPLX LP, and MarkWest Energy Partners LP, by counsel (collectively, the "Parties"), and jointly announced to the Court that a settlement has been reached between the Parties in the above-referenced civil action and that, pursuant to the terms of such settlement, the Parties hereby agree and jointly submit to the Court this stipulated Agreed Order of Dismissal, with prejudice, and hereupon:

2016 DEC -5 PM 3:51
CIRCUIT CLERK
WETZEL COUNTY, WV

IT IS HEREBY ORDERED AND ADJUDGED that the instant civil action and all the claims, counterclaims, third-party claims, and mechanics liens asserted therein are hereby DISMISSED in their entirety WITH PREJUDICE, with each of the Parties bearing their own costs. This matter shall now be removed from the Court's docket. The Clerk of the Court shall mail a copy of this Order to counsel at the addresses below upon entry hereof. Furthermore, that certain Mechanic's Lien, dated August 15, 2016, and filed by Westcon against MarkWest on August 16, 2016, as Instrument No. 207463 in Mechanics Lien Book 6 at Page 1, in the Office of the Clerk of the County Commission of Wetzel County, West Virginia having been released, MarkWest shall, upon receipt of this Order from the Clerk of the Court, cause at its own expense to have this Order filed and indexed to the aforementioned mechanic's lien in the Mechanics Lien Book in the Office of the Clerk of the County Commission of Wetzel County, West Virginia.

It is so ORDERED.

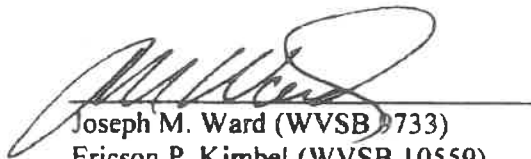
Entered this 5th day of December, 2019.




Honorable: H. Charles Carl, III

Prepared and agreed to by:

FILED
12/5/19



Joseph M. Ward (WVSB 0733)
Ericson P. Kimbel (WVSB 10559)
Alex J. Zurbuch (WVSB 12838)
FROST BROWN TODD LLC
500 Virginia Street, E., Suite 1100
Charleston, WV 25301-3207
(304) 345-0111

I HEREBY CERTIFY THAT THE ANNEXED INSTRUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN MY OFFICE.
ATTEST: 
DEPUTY CLERK
WETZEL CO. WEST VIRGINIA
BY: _____ DEPUTY CLERK

jward@fbtlaw.com

William Crichton VI (WVSB #9049)
CRICHTON + CRICHTON, LC
325 9th St.
Parkersburg, WV 256101
will@crichtonlawfirm.com

Jonathan G. Brill (WVSB #11316)
JONATHAN G. BRILL, PLLC
P.O. Box 932
Romney, WV 26757
jonathan@jonathangbrill.com
Counsel for MarkWest Liberty Midstream & Resources, L.L.C.; MarkWest Liberty Bluestone, LLC; MPLX LP; MarkWest Energy Partners LP

Agreed to by:



R. Booth Goodwin II., Esq. (WVSB # 7165)
Carrie Goodwin Fenwick, Esq. (WVSB # 7164)
Goodwin & Goodwin, LLP
300 Summers Street, Suite 1500
Charleston, WV 25301

Joseph T. Moran, Esq. (*admitted pro hac vice*)
Amy J. Coles, Esq. (*admitted pro hac vice*)
Jayme L. Butcher, Esq. (*admitted pro hac vice*)
Blank Rome LLP
501 Grant Street, Suite 850
Pittsburgh, PA 15219
Counsel for Bilfinger Westcon, Inc.

IN THE CIRCUIT COURT OF WETZEL COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

MARK WEST LIBERTY MIDSTREAM &
RESOURCES, L.L.C.,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 16-C-66
Hon. H. Charles Carl, III

BILFINGER WESTCON, INC.,

Defendant/Counterclaim Plaintiff
/Third-Party Plaintiff,

v.

MARKWEST LIBERTY BLUESTON, L.L.C.,
MPLX LP, MARKWEST ENERGY PARTERS LP,
THE HARTFORD STEAM BOILER INSPECTION
& INSURANCE COMPANY OF CONNECTICUT,
TEAM INDUSTRIAL SERVICES, INC., FURMANITE
AMERICAN, INC., O'DONNELL CONSULTING
ENGINEERS, INC., CEMI, LLC, AND QUALITY
INTEGRATED SERVICES, INC.,

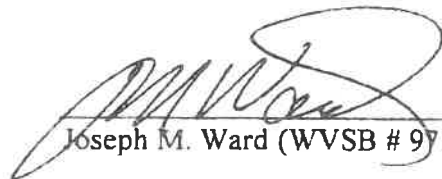
Third-Party Defendants.

CERTIFICATE OF SERVICE

I, Joseph M. Ward, hereby certify that on this 5th day of December, 2019, a copy of the foregoing *Agreed Order of Dismissal* was served via U.S. Mail, postage prepaid on the following:

R. Booth Goodwin II., Esq.
Carrie Goodwin Fenwick, Esq.
Goodwin & Goodwin, LLP
300 Summers Street, Suite 1500
Charleston, WV 25301

Joseph T. Moran, Esq.
Amy J. Coles, Esq.
Jayme L. Butcher, Esq.
Blank Rome LLP
501 Grant Street, Suite 850
Pittsburgh, PA 15219
Counsel for Bilfinger Westcon, Inc.



Joseph M. Ward (WVSB # 9733)

0135058.0722145 4838-4515-3198v1