

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

COVESTRO, LLC,

Plaintiff,

v.

CIVIL ACTION NO. 18-C-202

AXIALL CORPORATION,  
ALLTRANSTEK, LLC, and  
RESCAR COMPANIES,

Presiding Judge: Wilkes  
Resolution Judges: Carl and Nines

Defendants,

and

AXIALL CORPORATION,

Third-Party Plaintiff,

v.

SUPERHEAT FGH SERVICES, INC.,

Third-Party Defendant.

----- *CONSOLIDATED WITH* -----

AXIALL CORPORATION,

Plaintiff,

v.

CIVIL ACTION NO. 18-C-203

ALLTRANSTEK LLC,  
RESCAR COMPANIES, and  
SUPERHEAT FGH SERVICES, INC.,

Presiding Judge: Wilkes  
Resolution Judges: Carl and Nines

Defendants.

**JOINT STIPULATION AND AGREED ORDER**

AND NOW, COME the parties hereto, by and through their undersigned counsel, and hereby jointly stipulate to and agree as follows:

- 1) That the Parties wish to modify the Order Granting in Part Joint Motion to Extend Case Management Deadlines entered April 9, 2020 in these consolidated matters in order to be consistent with the deadlines established in the related Pennsylvania litigation;
- 2) That the Defendants shall have up to and including July 17, 2020 to conduct depositions of Axiall's damage witnesses, Josh Balcerek, Fred Walton, and Paul Linder;
- 3) That the Defendants shall have up to and including August 14, 2020 to produce the report of their shared forensic economist;
- 4) That the Plaintiffs shall have up to and including August 24, 2020 to produce rebuttal reports relative to the Defendants' shared forensic economist; and,
- 5) That the Defendants' deadline to produce reports for their liability experts shall be July 15, 2020; and,
- 6) That the Defendants deadline to produce damage reports (except for the report of the forensic economist) shall be July 31, 2020.


It is, therefore, ORDERED and DECREED that the new deadlines referenced above shall be and hereby are agreed to and made a part of the case managements orders for these consolidated actions.

All other deadlines and proceedings set forth in this Court's Orders of February 20, 2020 and April 9, 2020 shall remain in effect as directed.

The Circuit Clerk is directed to provide a certified copy of this Order to all counsel of records

in these consolidated actions.

Entered this 23 day of June, 2020.

  
CHRISTOPHER C. WILKES, Judge

**Prepared by:**

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in both 18-C-202 and 18-C-203*

Certified by me this 23rd day  
of June, 2020.  
Diana Crook Deputy

**Read and Approved by:**

/s/ Kevin M. Eddy Per Authority

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