

**FILED**

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

SEP 29 PM 4:22

JOSEPH M. RUCKI

**COVESTRO, LLC  
Plaintiff,**

**v.**

**Civil Action No.: 18-C-202  
Presiding Judge: Wilkes  
Resolution Judges: Carl and Nines**

**AXIALL CORPORATION,  
ALLTRANSTEK, LLC, and  
RESCAR COMPANIES,  
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  
Presiding Judge: Wilkes  
Resolution Judges: Carl and Nines**

**ALLTRANSTEK LLC, RESCAR, INC.  
t/d/b/a RESCAR COMPANIES, and  
SUPERHEAT FGH SERVICES, INC.,  
Defendants.**

FILED

2020 SEP 28  
ORDER GRANTING MOTION TO CONTINUE TRIAL

This matter came before the Court this 29<sup>th</sup> day of September 2020, upon the Defendant Superheat FGH Services, Inc.'s Motion to Continue Trial. Defendant, Superheat FGH Services, Inc., by counsel, Robert C. James, Esq., moved this Court to continue the trial scheduled for November 9, 2020, in the above-referenced matter. Further, Plaintiff, Axiall Corporation, by counsel, Antoinette C. Oliver, Esq., agreed that the trial should be continued but for different reasons than Superheat. Upon consideration of the motion, and the responses, the Court GRANTS the motion for good cause shown and ADJUDGES and ORDERS as follows:

1. The trial scheduled to begin on November 9, 2020, is CONTINUED;
2. The Pretrial Conference set for October 16, 2020, is CONTINUED;
3. The Scheduling Order entered in this case on or about June 24, 2019, as well as any applicable subsequent amended scheduling orders, are hereby VACATED as to the trial and pretrial date.

The Trial and Pretrial in this matter are at this time continued generally. The Court will conduct a status/scheduling conference at a later date. The Court notes the objections and exceptions of the parties to any adverse ruling herein. The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTERED this 29 day of September 2020.

  
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JUDGE CHRISTOPHER C. WILKES  
JUDGE OF THE WEST VIRGINIA  
BUSINESS COURT DIVISION