

FILED

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

2018 DEC 11 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,**

**Civil Action No. 18-C-203
Presiding Judge: Wilkes
Resolution Judges: Carl and Nines**

v.

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

BRIEFING ORDER


IT APPEARING that Defendants, AllTranstek LLC and Rescar, Inc. T/D/B/A Rescar Companies, by counsel, have filed Motion of Defendants, AllTranstek L.L.C. and Rescar Companies, to Reconsider and/or Amend Order Denying Motion for Summary Judgment with Respect to Plaintiff Axiall Corporation's Punitive Damages Claim and Request for Clarification, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

That movant will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Non-moving parties shall file written responses and proposed orders within 15 days of entry of this order and serve copies of the same on the moving party. The moving party shall thereafter have 10 days to file a rebuttal memorandum, if desired. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary.

All original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Carol.Miller@courtswv.gov with a courtesy copy to both Business.Court@courtswv.gov and Tessa.Bowers@courtswv.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court.

The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, to any *pro se* parties of record, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

December 9, 2020
date of entry



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