

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

NATIONAL FIRE & MARINE INSURANCE COMPANY,

Plaintiff,

v.

Civil Action No. 5:17CV105
(STAMP)

ROLAND F. CHALIFOUX, JR., D.O.,
CATLIN SPECIALTY INSURANCE COMPANY,
CAPSON PHYSICIANS INSURANCE COMPANY,
PATRICIA L. ALBERT, MISTY ALEXANDER,
INGRID ALGEO, CAROL ALLEN, RICHARD L. ALLTOP,
COLLEEN ANDERSON, GEORGE ANDERSON,
KRISTIN B. ANDERSON, TRICIA M. ANDERSON,
DAVID S. AUTEN, GERAL R. AUTEN, JOSEPH BACHIE,
RACHEL BACIAK-JUSTICE, MARK BAKER, ADAM BARNES,
CIARA/CLARA L. BARNES, ROBERT W. BARNES,
EDNA R. BARR, CINDY BARRETT, TIMOTHY BEAL,
MARY BERISFORD, HEATHER R. BILLETER, WALT BINGER,
LOYE A. BLAKE, JR., PAMELA S. BOLEY,
RICHARD BRISENDINE, TONI BROWN, JESSE J. BUCHANAN,
HARRY BURGE, RACHEL D. CARNEY, MICHELL CAUSEY,
EMANUEL M. CHACALOS, ELVIS CLARK, BRANDY L. CLEGG,
TIMOTHY COE, ROBERT E. COEN, GARY COLLOPY,
GAIL CONNER, HONUS CONNER, PENNY A. CONNER,
WILLIAM COULSON, DIANA S. CROW, RONALD W. CRUM,
TORY C. DALRYMPLE, CRYSTAL DARRAH,
DAVID A. DARRAH, JR., WILLIAM DAUGHERTY, DALE DAVIS,
DALE A. DAVIS, DONALD DAVIS, RICHARD DAVIS,
DARLENE DEASE, MICHAEL DICKEY, JOHN J. DISHMAN,
SHERRILL ROGER DOBBS, MELISSA DOLIN, RICHARD P. DORAN,
CHRISTINA C. DRAKE, DAVID D. DRAKE, PRISCILLAR S. DUFF,
SYLVIA J. DUNFEE, RICHARD DUNLAP, II, SANDRA K. EBERT,
SALLY ELLIS, CARL J. FALCON, STEVEN B. FARLEY,
JAMES FARMER, SHIRLEY R. FARSON, CARL T. FERGSON,
SARAH FINNEY, SUSAN R. FISHER, DARRIN FITZGERALD,
AMANDA FRAELICH, NORMA M. FRALEY, KATHIE B. FRANCIS,
PHILIP M. GARBARK, JR., JOSEPH W. GARRETT, JOSHUA GEARY,
THOMAS GESSLER, CARL GILBERT, JOANNE GIONIS,
MANUEL GOMEZ, SHARON A. GOMEZ, SHARON K. GOODRICH,
LARRY GORBY, DEAN GREATHOUSE, JAIME GREATHOUSE,
JACQUELINE R. GREEN, KIMBERLY GRIMM, REX HALL,
MELVIN HAMILTON, ALAN R. HANS, JOHNNA HARKER,
RUTH HART, TED HART, HAROLD HARTUNG, MICHAEL HASLAM,
NORA HASPEL, TRISHA HASTINGS, SANDRA HAYES, PEGGY HELMS,
TONYIA M. HENDERSON, DEBBIE HERCULES, MICHELLE HESS,
DOUGLAS HESTER, BENJAMIN HIGHLEY, TAMMY HIGHLEY,
CHARLES HILL, JOEY S. HILL, BRADLEY HOLMES,
DAVID L. HOWARD, BARBARA A. HUGHES, JOHN HULDERMAN,

MICHAEL ICE, BRIAN L. IRWIN, HEATHER JACKSON,
BONNIE JACOVETTY, ROBERT A. JAMES, SR., BETTY JENKINS,
DIANA JOHNSTON, TONY JONES, JANICE M. KALO, REBECCA KEEFER,
KAREN J. KELLY, ESTATE OF JAMES KENNEDY, LORI KENNEDY,
SANDRA KENNEDY, SUSAN KENNEN, BECKY A. KISH, JOYCE A. KISH,
DENNIS KLAGES, JANINE KLAGES, BEVERLY E. KNIERIM,
JUSTIN T. KOEGLER, ANDREA KOHLER, JAMIE KOSTON,
KIMBERLY R. KRONE, SHARON L. KURTZ, DONNA KYLE,
JASON W. LAMP, BRIAN D. LANDERS, WILLIAM LARUE, JR.,
WILLIAM LEASURE, RHONDA J. LEE, LINDA LEE, LESIA LEEK,
KENNETH F. LIGHTNER, JAKE D. LINAWEAVER,
BONNA LINEBERGER, DEBRA LIPSCOMB, JUANITA M. LODI,
WILLARD LOY, DANNY L. LUCAS, JOHN M. LUFFT, JR.,
CONNE J. MARCELLUS, RICHARD M. MARCHANI, LETY MARTE,
HAROLD MARTIN, MICHAEL MARTIN, II, SHANE MARVIN,
THOMAS K. MASON, BRANDON McCARDLE, THOMAS E. McCARTY,
MARY McCLELLAN, DEBORAH A. McCORD, REBECCA McCROBIE,
ERIKA McDANIEL, CHARLES E. McGHEE, PAUL McINTIRE,
DELILAH A. McKEEN, VERONICA J. McKELVEY,
SUSANNA TOLIVER-McMAHON, CARL D. MEAD, DONALD T. MILLER,
REGINA L. MILLER, ESTATE OF RICKY MILLER, SHANNON MILLER,
TERRY MILLER, TERRI MITCHELL, DAVID MOLLENDICK,
CHRISTOPHER A. MONDREAS, DIANA MONROE,
ESTATE OF CHARLES MOORE, DAVID MOORE, JAMIE MOORE,
KATHERINE MOORE, ROBERTA J. MORALES, DOUGLAS MORGAN,
CHRISTOPHER L. MORRIS, THOMAS D. MORRIS, PAMELA MORRISON,
WILLIAM F. MYERS, JAMES L. NEELY, CHRISTOPHER L. NELSON,
PENNY S. NELSON, CHRISTOPHER L. NELSON, PENNY S. NELSON,
ROBERT L. NEWMAN, II, STACY NICHOLS, WILLIAM F. NOLAN,
SHARON O'BRIGHT, NICOLE OCHOA, ROBIN OWENS,
MURVEN PALMER, JR., PATRICIA S. PALMER, ROBERT A. PANEPUCCI,
VINCENT PARISI, WILLIAM H. PARKER, LUCINDA J. PHILLIPS,
CILYNE H. PICKANA, FRAN A. POOLE, EDWARD POSTLEWAIT,
TEXANN POSTLEWAIT, HOBERT R. POWERS, HENRY N. PURCELL,
TIMOTHY RAGER, CAROL RECTOR, REBECCA REED, LISA REPINE,
ROBERT RIAL, MARY ELLEN RICHARDS, THOMAS L. RICHARDSON,
NILE RICHMOND, JENNIFER RICKMAN, AARON RILEY,
JOYCE RITCHEA, SANDRA ROBERTS, BARBARA J. ROGERS,
BETTY ROGERS, JOHN ROSKOVICH, KENNETH B. ROSSELL,
ARVILLE E. RUTTER, RAYMOND RYAN, DAVID L. RYNIAWEC,
BARBARA SAROTTE, WILLIAM SATTERFIELD, DEBBIE SAUNDERS,
REBECCA S. SCHEEHLE, JANICE SCHENK, BRENDA L. SCHERICH,
MELLISA L. SCHMIDT, CAROL L. SCHNEIDER, JASON SCHNELLE,
PAMELA A. SCOTT, RANDALL SCOTT, SHEILA SCOTT,
JEFFFREY D. SELLS, NANCY SELLS, RANDALL L. SELLS,
DEBBIE J. SHOWALTER, DEBI S. SIBURT, JOHN SKINNER,
SHIRLEY SKINNER, ROBERT J. SLIVA, JEFFFREY L. SMITH,
LAVERNE SMITH, RALPH SMITH, TAMMY L. SMITH,
JASON SNYDER, WILLIAM SPOON, STEVEN W. SPRINGER,
CYNTHIA A. STALEY, JOSHUA STEED, JOHN H. STEPHENS,

JASON D. STERN, CHARLES STEVENS, JR., ELIZABETH SWAGGART, MARY J. TARIS, CHARLES D. TAYLOR, SAMUEL H. TAYLOR, III, PATRICIA TAYLOR, ROBERT D. TAYLOR, ASHLEY THOMAS, DANNY TOMBLIN, CARLA TOOHEY, GARY TOTO, KEVIN TRUAX, DEBRA D. TWARDOSKI, RONALD VAN SCYOC, MELISSA VANFOSSEN, ROBERT VIOLET, JASON WADE, STEVEN WADE, JOYCE WALKER, ANTHONY L. WALLACE, JUDY A. WARNER, DAVID WEEKLEY, JAMES WEIRES, JR., MARK WELLING, NORMA WELLS, GARY R. WENDEL, JASON WEST, ESTATE OF DAWN R. WHEELER, CHASTITY WIGGINS, ESTATE OF JOICE D. WILLIAMS, MICHELE WILLIAMS, SALLY WILLIAMS, JESSIE WILSON, HARRY E. WINES, III, GREGORY WISE, TERESA WISE, JENNIFER R. WOOD, NICKI L. WOOD, JACQUELINE L. WOODS, MABEL WOOLF, RALPH WYATT, JR., DENNIS R. WYCKOFF, DONNA YOUNG, and LOUIS P. ZACKEY,

Defendants.

ORDER OF DISMISSAL

On January 26, 2018, the plaintiff and defendant Catlin Specialty Insurance Company, by counsel, filed a Joint Report Regarding State Court Approval of Settlement. ECF No. 21. The report advised this Court that the issues pending before this Court have been mooted by state court approval of settlement. Accordingly, the parties requested an entry of an order of dismissal with prejudice. Therefore, it is ORDERED that this civil action be, and the same is hereby, DISMISSED WITH PREJUDICE and retired from the docket of the Court, subject to reopening on motion of any party, and for good cause shown, within 90 days. Accordingly, any pending motions are DENIED AS MOOT.

The parties need not submit any additional proposed dismissal or other final order unless it is required by law or is necessary under the terms of any agreement resolving this civil action.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: January 26, 2018

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE