

IN THE INTERMEDIATE COURT OF APPEALS OF WEST VIRGINIA

No. 22-ICA-123

**RONALD HARDY, RALPH MANUEL,
EDGEL DUDLESON, RICKEY MILLER,
JAMES CRUEY, MARK SCOTT, and GARY SCOTT,**

Petitioners, Plaintiffs Below,

v.

**3M COMPANY; MINE SAFETY APPLIANCES COMPANY,
LLC (MSA); AO-C-A (AMERICAN OPTICAL CORPORATION-CABOT CSC
CORPORATION-CABOT CORPORATION); EASTERN STATES MINE SUPPLY
COMPANY; and RALEIGH MINE AND INDUSTRIAL SUPPLY,**

Respondents, Defendants Below.

Motion for Pro Hac Vice Admission of Joshua I. Hammack

Pursuant to Rule 8.0 of the West Virginia Rules for Admission to the Practice of Law, the undersigned, John A. Budig of Bailey & Glasser LLP, a member in good standing of the West Virginia Bar, respectfully moves the Court to admit Joshua I. Hammack of the law firm of Bailey & Glasser LLP *pro hac vice* as counsel to the Defendants Mine Safety Appliances Company, LLC in the aforesaid matter.

Pursuant to Rule 8.0(b), the Verified Statement of Application for Admission of Joshua I. Hammack in support of this motion is submitted herewith.

Respectfully submitted,

/s/ John A. Budig

John A. Budig (WVSB #13594)

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*Counsel for Respondent Mine Safety
Appliances Company, LLC*

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CORPORATION-CABOT CSC CORPORATION-CABOT
CORPORATION); EASTERN STATES MINE SUPPLY COMPANY;
and RALEIGH MINE AND INDUSTRIAL SUPPLY,**

Respondents, Defendants Below.

Verified Statement for Application for Admission

Comes now, Joshua I. Hammack, and in support of the Motion to Admit *pro hac vice* in the above-styled matter, states as follows:

1. I am an attorney in the firm of Bailey & Glasser LLP, 1055 Thomas Jefferson Street, N.W., Suite 540, Washington, DC 20007, (202) 463-2101 and facsimile (202) 463-2103.
2. John A. Budig, of Bailey & Glasser, LLP, having offices at 209 Capitol Street, Charleston, West Virginia, (304) 345-6555, facsimile (304) 342-1110, will be the responsible local attorney in this matter.
3. In the preceding twenty-four months, I have been involved in the matters before West Virginia tribunals as further set forth in Attachment A.
4. In the preceding 24 months, Bailey & Glasser LLP has been involved in the matters before West Virginia tribunals as further set forth in Attachment A.

5. I am a member in good standing of the State Bars of Maryland and the District of Columbia (Member No. 1021932) and have not been disciplined in Maryland, the District of Columbia or any other jurisdiction.

6. I agree to comply with all laws, rules and regulations of West Virginia state and local governments and any standards for *pro bono*, civil and criminal indigent defense legal services.

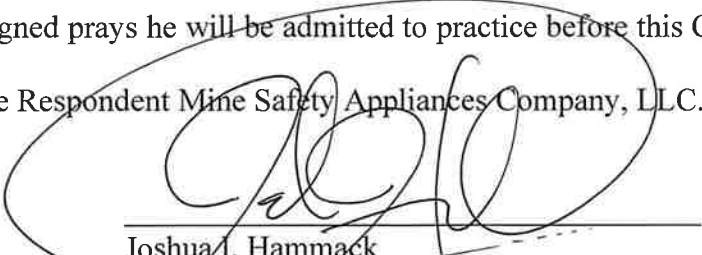
7. The address and telephone number of the registration/disciplinary agency for the District of Columbia is as follows: Office of Disciplinary Counsel, 515 Fifth Street, NW, Building A, Suite 117, Washington, DC 20001; telephone: (202)-638-1501.

8. The address and telephone number of the registration/disciplinary agency for Maryland is as follows: Attorney Grievance Commission and Office of Bar Counsel, 200 Harry S. Truman Parkway, Suite 300, Annapolis, MD 21401; telephone: (410)-514-7051.

8. I have directed a copy of this Verified Statement, together with payment in the sum of \$350.00, to the West Virginia State Bar.

9. I declare under penalty of perjury that the information contained in this Verified Statement is true and correct.

WHEREFORE, the undersigned prays he will be admitted to practice before this Court in the instant matter as Counsel for the Respondent Mine Safety Appliances Company, LLC.



Joshua I. Hammack
Bailey & Glasser, LLP
1055 Thomas Jefferson Street NW, Suite 540
Washington, DC 20007
(202) 463-2101 telephone
(202) 463-2103 facsimile

Taken, subscribed and sworn to before me this 11th day of September 2023.

My commission expires: 7/14/2027


NOTARY PUBLIC

(NOTARIAL SEAL)



LILLIANN JEAN HAGADORN
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires July 14, 2027

Attachment A

I. Applicant's West Virginia Matters: All matters before West Virginia tribunals or other judicial bodies in which Joshua I. Hammack has been involved within the last months:

Charleston Area Medical Center v. Pulmonary Associates of Charleston, PLLC, et al, Civil Action No. 22-c-359, (In the Circuit Court of Kanawha County, West Virginia).

Ramaco Resources, LLC v. Federal Insurance Co., and ACE American Insurance Co., Civil Action No: 2:19-cv-00803, (In the United States District Court for the Southern District of West Virginia) – (originally filed in the Circuit Court of Logan County, WV (2019-c-127) and was transferred to the United States District Court for the Southern District of West Virginia shortly thereafter).

Alpha Technologies, Inc. v. Pulmonary Associates of Charleston, PLLC, Civil Action No. 22-c-398, (In the Circuit Court of Kanawha County, West Virginia).

II. Firm's Other West Virginia Matters: All other matters before West Virginia tribunals or other judicial bodies in which Bailey & Glasser LLP has been involved within the last 24 months:

Adams, Mark v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Adkins, Allen v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Adkins, Ernie v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Adkins, Henley v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Adkins, Hubert v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Adkins, James, et al. v. Encompass Home and Auto Insurance Company; Case No. 2:23-C-362 (In the United States District Court for the Southern District of West Virginia – at Charleston), (originally filed in the Circuit Court of Kanawha County as Case No. 23-C-214).

Adkins, Kevhen v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Kimberly L. Adkins v. Appalachian Power Company, et al., Civil Action No. 3:21-0164, (In the United States District Court for the Southern District of West Virginia – at Huntington), (originally filed in the Circuit Court of Wayne County as Case No. CC-50-2021-C-11).

Adkins, Larry Z. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Adkins, Matthew, et al. v. Appalachian Power Company, Civil Action No. 2:22-cv-00399 (In the United States District Court for the Southern District of West Virginia) (Removed from the Circuit Court of Lincoln County, West Virginia).

Adkins and Short v. Midland Credit Management, Civil Action 5:17-cv-04107, (In the United States District Court for the Southern District of West Virginia).

AJE Enterprise LLC d/b/a Whisper Night Club and Lounge, et al., v. James Justice, in his capacity as Governor of West Virginia, et al., (In the Circuit Court of Kanawha County, West Virginia) Case No. 1:20-cv-00229-JPB, (In the United States District Court for The Northern District of West Virginia).

Akers, Robert v. MSA, et al., Civil Action No. 3:21-cv-00044, (In the Circuit Court of Mingo County, West Virginia).

Deborah Albert v. Unum Life Insurance Company of America and Unum Group, Civil Action No. 2:21-cv-609, (In the United States District Court for the Southern District of West Virginia).

John Alderman, III v. Bobbie and Joseph Holland, Case No. 20-C-1115, (In the Circuit Court of Kanawha County).

Alderman, Teddy v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Alexander, Gerald W. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Philip Alig, et al. v. Quicken Loans, et al., Civil Action 5:12-cv-114, (In the United States District Court for the Northern District of West Virginia).

Allen, Billy L. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Allen, Harry v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Allen, Jeffrey v. MSA et al., Civil Action No. 21-C-57, (In the Circuit Court of McDowell County, West Virginia).

Allen, Kenneth v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Alpha Technologies v. Pulmonary Associates of Charleston, PLLC, et al., Civil Action No. 22-C-398, (In the Circuit Court of Kanawha County, West Virginia).

James Alvis v. Randolph Street, Inc. d/b/a The Asylum, Civil Action No. 22-C-61, (Circuit Court of Greenbrier County, WV).

Amick, Don v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Antero Resources Corp. v. L&D Investments, Inc., et al and Mike Ross, Inc. Case No: 20-0964, (In the Supreme Court of Appeals of West Virginia).

Antill, Timothy v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Ray Anthony Ara v. Mine Safety Appliances, et al., CC-03-2022-C-83, (Circuit Court of Boone County West Virginia).

Armstrong, Michael v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Armstrong, Richard L. v. Sine, James L, et al., Civil Action No. 20-C-44 (In the Circuit Court of Tyler County, West Virginia).

Tricia Lynne Ashley v. Christopher Todd Ashley, et al.; Civil Case No. 19-C-231, (In the Circuit Court of Raleigh County, WV).

Tricia Lynne Ashley v. Christopher Todd Ashley, et al.; Case No. 5:19-cv-00495, (United States District Court for the Southern District of West Virginia).

BB Land, LLC and JB Exploration 1, LLC v Blackrock Enterprises, LLC, and Michael L. Benedum, Civil Action No. 18-C-2, (In the Circuit Court Pleasants County – Business Court Division), (administrative order from Supreme Court of Appeals of West Virginia granting Motion to refer to Business Court division, 22-0407, 05/05/2018).

Bailey, Billy J. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bailey, Dale v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bailey, Gregory A. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bailey, James v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bailey, Michelle v. Mountaineer Gas Company, Civil Action No. 23-C-15, (In the Circuit Court of Cabell County, West Virginia)

Bailey, Michelle v. Mountaineer Gas Company, Civil Action No. 23-C-177, (In the Circuit Court of Kanawha County, West Virginia).

Kenvil Bias v. Mine Safety Appliances, et al., CC-03-2022-C-59, (In the Circuit Court of Boone County West Virginia).

Baisden, Harold v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Baker, Daniel v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Baldwin, Norman v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Ball, Absolom K. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Ball, Gary v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Ball, Kevin v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Ball, Paul v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Ball, Ralph v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Beasley, Bobby v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Beheler, Tim v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Belcher, Steven Todd v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bell, Johnie D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Michael Bellew v. Asplundh Tree Expert, Civil Action No. 15-C-94, (In the Circuit Court of Ohio County, West Virginia).

Bender, Dan v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Roy Bennett, Jr. v. NASA Federal Credit Union, Civil Action No. 21-C-18, (In the Circuit Court of Jackson County).

Beverly, Ronald W. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bias, Roger v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Blackjewel L.L.C. and Revelation Management Corp., Case No. 19-30289, (In the United States Bankruptcy Court for the Southern District of West Virginia).

Teresa L. Yonce, as Administratrix of the Estate of Brock Bland v. Bombardier Recreational Products, Inc. et al., Civil Action No. 2:21-cv-26, (In the United States District Court for the Northern District of West Virginia).

Don Blankenship v. Andrew Napolitano, et al., Civil Action No. 2:19-cv-00236, (In the United States District Court for the Southern District of West Virginia).

Don Blankenship v. Fox News Network, LLC et al., Civil Action No: 2:19-cv-00236, (United State District Court for the Southern District of West Virginia).

Blankenship, Jp v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Blankenship, Martin v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Blankenship, Paul v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bledsoe, Brian v. Marpat Aviation, LLC, et al., Civil, Action No. 22-C-128 (In the Circuit Court of Logan County, West Virginia).

Blethen, Robert v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Boggs, Stevie v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bolen, Mitchell W. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bowers, James v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Andrew E. Bradley v. JAK Productions, Inc., et al., Civil Action No. 15-C-170, (In the Circuit Court of Ohio County, West Virginia).

Bradley, Frederick G. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Oliver Bradley v. Mine Safety Appliances, et al., CC-55-2022-C-28, (Circuit Court of Wyoming County West Virginia).

Helen Bradly v. Ohio County Board of Education, et al., Civil Action No. 22-C-21, (In the Circuit Court of Ohio County, West Virginia).

Bradshaw, Dale v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bragg, Billy v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bragg, Danny Ray v. MSA et al., Civil Action No. 21-C-120, (In the Circuit Court of Mingo County, West Virginia).

Casey Branham v. Star Mine Services, Inc., Civil Action No. 15-C-331, (In the Circuit Court of Ohio County, West Virginia).

Breedlove, James v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Brewster, James A. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Brown, Gary L. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Brown, Warren v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Browning, Michael J. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Browning, Michael O. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Bryant, Ira P. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Bryant, Ronnie G. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Raven Danell Frisbee Bumgarner, as Administratrix of the Estates of R.B. and S.B, Administratrix v. Department of Health and Human Resources, CC-13-2022-C-128, (In the Circuit Court of Greenbrier County West Virginia).

Steven Burford v. Mine Safety Appliances Company, et al., Civil Action No. 23-C-598, (In the Circuit Court of Kanawha County, West Virginia).

Burgett, Bill v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Burgess, Edgar v. MSA et al., Civil Action No. CC-03-2021-C-43, (In the Circuit Court of Boone County, West Virginia).

Burgoyne, Richard v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Arden Z. Burge v. Bank of America, CC-04-2018-C-44, (In the Circuit Court of Braxton County, West Virginia).

James Burmer v. Dynamic Recover Solutions, LLC, Civil Action No. 19-C-313, (In the Circuit Court of Mercer County).

Burns, Timothy v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Burton, Alan v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Butcher, Michael v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Buzzard, Bruce A. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Buzzard, Lloyd D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Buzzard, William H. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Gina Carroll v. Erica Johnson, Civil Action No. 21-C-937, (In the Circuit Court of Kanawha County, West Virginia).

Maranda Carpenter, et al. v. Barn Lease Corp., Civil Action No. 18-C-89, (BG appeared as co-counsel beginning in 2021) (In the Circuit Court of Nicholas County).

Carter, Emory v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Carter, James v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Carter, Jeffery v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Carter, Robert P. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

CashNetUSA v. Shannon A. Dean, Civil Action No. 10-2022-C-76, (In the Circuit Court of Fayette County, West Virginia).

Castel, Gene v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

John Casto and Cheryl Casto v Appalachian Power Company, American Electric Power Service Corporation, Shenandoah Telecommunications Company, Asplundh Tree Expert, LLC, Asplundh Brush Control, LLC, Bossie, Inc and John Doe, Civil Action No. 19-C-11, (In the Circuit Court of Putnam County, West Virginia).

Caudill, Paul v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cecil, Auldy v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Certain Underwriters at Lloyd's, London Subscribing to Certificate No. PL100717 v. City of Charleston, Case No. 2:21-cv-344, (In the United States District Court for the Southern District of West Virginia).

Chafins, Rodney L. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Chambers, Jack David v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Nathan Chambers v. William Lilly, Jr., William N. Lilly, Sr., Stephanie D. Lilly, Leona Lilly and John Does 1 -5, (In the Raleigh County Circuit Court).

Chapman, Christopher v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Charleston Area Medical Center v. Pulmonary Associates of Charleston, PLLC, et al Civil Action No. 22-C-359, (In the Circuit Court of Kanawha County, West Virginia).

Dr. Habiba Chirchir v. Genworth Mortgage Insurance Corp., et al. Civil Action No. 3:20-cv-00416, (In the United States District Court for the Southern District WV).

Christian, Keith v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

City of Charleston v. Oliver I. Baer, Case No: MC19001070, (In the Municipal Court City of Charleston, West Virginia).

Chrisman, Pamela-Executrix of the Estate of Charles E. Christman, III v. A.O. Smith Corporation, et al., Civil Action No. 22-C-076 (In the Circuit Court of Kanawha County, West Virginia).

City of Huntington v. West Virginia Paving, Inc., et al., Civil Action No. 16-C-666, (In the Circuit Court of Cabell County, West Virginia – Business Court).

Citynet, LLC v. Frontier West Virginia Inc., et al., Case No. 2:14-cv-15947, (In the United States District Court for the Southern District of West Virginia).

Cline, Alfred Gerald v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cline, Gerald D. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cline, James F. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cline, Rush v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cline, Rodney D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Cline, Terry v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Clutter, Larry v. MSA et al., Civil Action No. CC-34-2021-C-65, (In the Circuit Court of Nicholas County, West Virginia).

Cohenour, Carl v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Colegrove, Michael v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Collins, Carl D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Christian A. Collins, as Administrator of the Estate of Lisa Miconi Barnard v. Gary Alan Barnard, et al., Case No. 18-C-246-1, (In the Circuit Court of Harrison County, West Virginia).

Collins, David S. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Collins, Fonzie v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Collins, Jason v. Marpat Aviation, LLC, et al., Civil Action No. 22-C-129 (In the Circuit Court of Logan County, West Virginia).

Collins, Pearlie v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Collins, Roger v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Collins, Whittfield v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Colucci, Robert v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Compton, Garland v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Conn, Darrell v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Timothy M. Conner, M.D. v. Associated Radiologists, Inc., Associated Radiologists, Ind. Defined Benefit Plan, Shelby King, John J. Anton, MD, Michael E. Anton, MD, Stephen M. Elksnis, MD, Johnsey L. Leef, III, MD, Civil Action No. 2:19-cv-00329, (In the United States District Court of West Virginia).

Conrad, Larry W. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Cook, James v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Cook, Russell Allen v. MSA et al., Civil Action No. 21-C-84, (In the Circuit Court of Wyoming County, West Virginia.).

Coon, Ronald L. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Copley, Roger v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

In Re: Corwin Place, LLC, Case No. 1:16-bk-00750; *Corwin Place LLC v. Premier Bank, Inc., et al.*, A.P. No. 16-ap-48, (In the United States Bankruptcy Court Northern District of West Virginia).

Cotiga Development Company, LC, et al. v. Consol Energy, Inc. et al., Case No. 19-C-4, (In the Circuit Court of Mingo County).

Cotiga Development Company, Limited Partnership v. Southeastern Land, LLC, et al., Civil Action No. 20-C-58, (Circuit Court of Mingo County).

Counts, Jackie v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Joseph Cox and Dena Cox v. New Rez, LLC Civil Action No. 3:20-cv-859, (In the United States District Court for the Southern District of WV).

William Cox v. Dalton et al., Civil Action No. 1:21-cv-4, (In the United States District Court for the Northern District of West Virginia).

CPRW, LLC, et al v. Citynet LLC, et al, Civil Action No. 20-C-99-3, (In the Circuit Court of Harrison County, West Virginia).

Craddock, Paul v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Gerhonda Creasey, et al. v. Perfection Collection, et al., Civil Action No. 20-C-105, (In the Circuit Court of Kanawha County).

Crislip, Wilbert v. MSA et al., Civil Action No. CC-34-2021-C-64, (In the Circuit Court of Nicholas County, West Virginia).

Cruey, James v. MSA et al., Civil Action No. CC-27-2021-C-48, (In the Circuit Court of McDowell County, West Virginia.).

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Shonk Land Company v. Carbon WV, et al., Case No. 20-C-613, (In the Circuit Court of Kanawha County).

Short, Gary L. v. MSA et al., Civil Action No. 21-C-135, (In the Circuit Court of Mingo County, West Virginia).

Shuff, James S. v. MSA et al., Civil Action No. 21-C-137, (In the Circuit Court of Mingo County, West Virginia).

Siders, Colby, et al. v. Howe III, Paul, et al., Civil Action No. 23-C-8, (In the Circuit Court of Harrison County, West Virginia)

Simpkins, Tony v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Simpson, Raymond v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Sipple, Lee v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Stephen Sites v. Portfolio Recovery, Civil Action No. 2:20-cv-00704, (In the United States District Court for the Southern District WV).

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James Eric Sizemore v. Mine Safety Appliances Company, LLC, CC-30-2023-C-85, (In the Circuit Court of Mingo County, West Virginia).

Slaven, Brett L. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Slone, Billy v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Smith, Doulgas v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Smith, et al. v. INTL FCSTONE Financial, Inc., Case No. 2:19-cv-00235, (In the United States District Court, Southern District of West Virginia).

John Smith v. First Community Bank, Civil Action No. 19-C-124, (In the Circuit Court of Wyoming County).

Smith, Robert L. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Smith, Troy Lee v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Smith, Willie v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Shane Snyder, v. Asplundh Tree Expert, LLC, American Electric Power Inc., and Appalachian Power Company, Inc., Case No. CC-40-2019-C-159, (In the Circuit Court of Putnam County, West Virginia).

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Spears, Charles v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

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Spradlin, Woodrow v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Spriggs, Larry v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Sprouse, Randy B. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Stacy, William I. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Sherri Stahl, as Administratrix of the Estate of Peggy Ann Setler v. Elkins Regional Convalescent Center, Inc. d/b/a Elkins Rehabilitation and Care Center, Civil Action No. 20-C-34, (In the Randolph County Circuit Court).

Stanton, Jeffery v. Trooper First Class Cory Elliott, et al., Civil Action No. 2:19-CV-00049, (In the United States District Court for the Northern District of West Virginia).

Stapleton, Frank v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

The Estate of Charles Starcher, by Administratrix, Debra E. Criner v. R&S Oil & Gas, LLC, et al., Civil Action No. 14-C-44, (In the Circuit Court of Roane County, West Virginia).

State Automobile Mutual Insurance Company v. Allegheny Medical Services, et al., Civil Action No. 5:17-cv-02283, (In the United States District Court for the Southern District of West Virginia).

State of West Virginia v. McKenzie Breanna Morris, Case No. 19-M08M-00058, (In the Magistrate Court of Clay County, West Virginia).

State of West Virginia, ex rel. Patrick Morrisey, Attorney General, et al. v. CRH, PLC, et al., Civil Action No. 17-C-41, (In the Circuit Court of Kanawha County, West Virginia, Business Court Division).

State of West Virginia City of Morgantown v. Shanawar Waris, Case No. 2018-AR-0003390, (In the Municipal Court of Morgantown, West Virginia).

Starr, Myran v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Starr, Robert v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Staton, Jasper v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Paul Steele v. 3M Company, CC-30-2023-C-86, (In the Circuit Court of Mingo County, West Virginia).

Stephens, Keith N. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Stewart, Dan v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Stewart, Richard S. v. MSA et al., Civil Action No. 03-2020-C-35, (In the Circuit Court of Boone County, West Virginia).

Hilma Stover v. Fluent Home, LLC, et al., Civil Action No. 5:21-cv-00191, (In the United States District Court for the Southern District of WV).

Linda Struder, as Administratrix of the Estate of her father, Holbert Wolford, Sr. v. Nella's Inc., Civil Action No: 20-C-106, (In the Circuit Court of Randolph County, West Virginia).

Sturgell, Sherman v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Sword, David M. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Tate, William v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Jeremy Taylor v. Mine Safety Appliances, et al., CC-03-2022-C-74, (Circuit Court of Boone County West Virginia).

Stephen Taylor v. Mine Safety Appliances, et al., CC-34-2022-C-46, (Circuit Court of Nicholas County West Virginia).

Elbert Thacker v. PHH Mortgage Corporation, Case No. 5:21-CV-174, (In the United States District Court for the Northern District of West Virginia).

Thomas, Ella v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Thomas, Richard v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Thompson, Roger v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Tiller, George Edward v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Tinnel, Lloyd D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Charity A. Tracey and Larry M. Tracey v. C&A Tree Service, Inc., Civil Action No: 21-C-152, (In the Circuit Court of Cabell County, West Virginia).

Richard E. Teter, Administrator of the Estate of Earl E. Teter v. Elkins Regional Convalescent Center, Inc. d/b/a Elkins Rehabilitation and Care Center, Civil Action No. 21-C-22, (In the Randolph County Circuit Court).

Estate of Ursuline Teter, by Donald Teter, Administrator v. Cortland Acres Association d/b/a Cortland Acres Nursing Home, Civil Action No. 20-C-14, (In the Circuit Court of Tucker County, West Virginia).

Tucker, Robert v. MSA et al, Civil Action No. 21-C-262, (In the Circuit Court of Monongalia County, West Virginia).

Carl Turner v. Mine Safety Appliances, et al., CC-34-2022-C-30, (Circuit Court of Nicholas County West Virginia).

United States of America v. Donald R. Carter II, Criminal No. 5:10-CR-00229-0, (In the United States District Court for The Southern District of West Virginia).

United States of America v. Wild Rock West Virginia, et al., Civil Action No 2:21-cv-00341, (In the United States District Court for the Southern District of West Virginia).

U.S. Bank National Association, et al. v. Mountain Blue Hotel Group LLC, Case No. 17-cv-138, (In the United States District Court for The Northern District of West Virginia).

Vance, Ermal v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Vandal, John v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Michael Vandall v. Mine Safety Appliances, et al., CC-27-2023-C-15, (Circuit Court of McDowell County West Virginia).

Steven R. Vanhorn and Twila Vanhorn v. Precoat Metals Corp., et al., Civil Action No. 5:17-cv-00166, (In the United States District Court for the Northern District of West Virginia), (originally filed in the Circuit Court of Brooke County, West Virginia as Civil Action No. 17-C-107, and subsequently remanded).

Vannest v. Nationstar Mortgage, LLC, Case No. 5:2021cv00086, (In the United States District Court for the Northern District of West Virginia).

Varney, David Todd v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Varney, Mickey v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Herbert Varney v. Mine Safety Appliances, et al., CC-23-2022-C-95, (Circuit Court of Logan County West Virginia).

A.W. v. Gordinho et al., Civil Action No. 16-C-446, (In the Circuit Court of Raleigh County, West Virginia).

K.W. and J.W., husband and wife, individually and as parents and legal guardians of H.W., a minor v. Rising Stars Childcare, LLC, Civil Action No: CC-41-2021-30, (In the Circuit Court of Raleigh County, West Virginia).

Estate of Amy Wade v. Corder, et al., Case No. 20-0750, (In the West Virginia Supreme Court of Appeals), previously Civil Action No. 20-C-140, (In the Circuit Court of Ohio County).

Walker, Ronald v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Walls, Richard v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Wandling, Eddie L. v. Appalachian Power Company, et al., Civil Action No. 22-C-28 (In the Circuit Court of Lincoln County West Virginia).

Brenda Ware and Jared Freshour v. Brandon Baldwin, Civil Action No: 21-C-58, (In the Circuit Court of Harrison County, West Virginia).

Timothy Hoover OBO Estate of Loveain Warner v. D&E Enterprise, LLC, et al., Civil Action No. 21-C-6, (In the Circuit Court of Grant County).

Rickie Warner v. Mine Safety Appliances, et al., CC-22-C-383, (Circuit Court of Kanawha County West Virginia).

Jonathan Warren, et al. v. NBS, Inc. d/b/a Smoker Friendly, Case No. 17-C-14, (In the Circuit Court of Putnam County, West Virginia).

Warrior Met Coal, Petitioner v. Paula Moore, et al., Case No. 22-M20C-01513 (In the Magistrate Court of Kanawha County, West Virginia).

Watts, Raymond v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Alroy T. Webb v. Frontier Communications Online and Long Distance, Inc., Civil Action No. 2:15-cv-13840, (In the United States District Court for the Southern District of West Virginia).

West Virginia Department of Transportation, Division of Highways v. Kokosing Construction Company, Inc., Civil Action No. 22-C-11, (In the Circuit Court of Tucker County, West Virginia Business Court Division).

West Virginia Department of Transportation and Division of Highways v. West Virginia Paving, Inc., et al., Civil Action No. 16-C-1561, (In the Circuit Court of Kanawha County, West Virginia).

West Virginia State University Board of Governors v. The Dow Chemical Company, Civil Action No. 2:17-cv-3558, (In the United States District Court for the Southern District WV) was initially filed in Kanawha County Circuit Court, Civil Action transferred to No. 17-C-599.

West Virginia University Medical Corporation d/b/a University Health Associates v. Wissam Gharib, MD, et al., Case No. 18-C-445, (In the Circuit Court of Monongalia County, West Virginia).

Whitt, Ronald v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

White, David v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

White, Lonnie D. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Whitt, Robert v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Stony White v. Mine Safety Appliances, et al., CC-30-2023-34, (Circuit Court of Mingo County West Virginia).

Whitt, Vernon v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Cecil Williams v. Mine Safety Appliances, et al., CC-03-2023-C-11, (Circuit Court of McDowell County West Virginia).

Williams, Johnny F. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Allen Williamson and Debra Williamson v. Appalachian Power Company and Lincoln Public Service District Civil Action No. 21-C-41, (In the Circuit Court of Lincoln County, West Virginia).

Williamson, Sara v. Pierre Poe, et al., Civil Action No. 3:22-CV-00177-GMT-RWT, (In the United States District Court for the Northern District of West Virginia).

Wilson, Larry Douglas v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Wilson, Larry R. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Wolford, Ray v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Woods, Larry A. v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Woolum, David v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Workman, Milton v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Workman, Norman v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Workman, Robert L. v. MSA, et al., Civil Action No. 21-C-46, (In the Circuit Court of Mingo County, West Virginia).

Patrick M. Wright, et. Al. v. Antero Resources Corp., Civil Action No. 1:20-cv-222, (In the United States District Court for the Northern District of West Virginia).

Rodney Wright and Patty Wright v. Appalachian Power Company and Lincoln Public Service District, Civil Action No. 21-C-42, (In the Circuit Court of Lincoln County, West Virginia).

Yeager, Arnold v. MSA, et al., Civil Action No. 21-C-57, (In the Circuit Court of Mingo County, West Virginia).

Yoho, Craig, et al. v. Southwestern Energy Company, et al, Civil Action No. 5:23-cv-101 (In the District Court for the Northern District of West Virginia).

Marshall Young v. Mine Safety Appliances Company, et al., CC-10-2023-C-18, (In the Circuit Court of Fayette County, West Virginia).

CERTIFICATE OF SERVICE

I, John A. Budig, counsel for Respondent Mine Safety Appliances Company, LLC, hereby certify that on the 11th day of September, 2023, I filed **Motion for *Pro Hac Vice* Admission of Joshua I. Hammack** via the File and ServeXpress system upon counsel of record.

/s/ John A. Budig
John A. Budig (WVSB #13594)