



Re: West Virginia Mass Litigation Panel – Implementation of Electronic Filing and Service

We are pleased to announce that LexisNexis[®] File & Serve has been designated by the Supreme Court of Appeals as the electronic filing and service provider in West Virginia pursuant to Trial Court Rule 15. **Effective December 8, 2008**, as outlined in the Orders entered by the Mass Litigation Panel (MLP) on November 3, 2008, electronic filing and service will commence in the:

- Digitek[®] Litigation
- Asbestos Personal Injury cases assigned to the MLP and designated in the February 2009 or June 2009 trial groups. Additionally, subsequent filings in new personal injury asbestos cases filed on or after December 8, 2008 are also subject to electronic filing and service.

It is the expectation of the Court that participating law firms will realize the benefits of improved access to information and a streamlined approach for managing the flow of paper throughout the litigation process. To ensure your firm's smooth transition to electronic filing and service, we have enclosed the following materials:

1. LexisNexis File & Serve Registration Information
2. LexisNexis File & Serve Training Opportunities
3. Order In Re: Digitek[®] Litigation
4. Order Designating Electronic Filing and Service In Re: Asbestos Personal Injury Litigation Exigent Trial Group
5. Pricing Information

Please take note of this important deadline:

Your firm's designated administrator MUST complete the registration process outlined in the enclosed Registration Information prior to December 8, 2008.

Why is this important? Beginning December 8th, the court and other firms will begin serving your firm in Digitek[®] and/or asbestos personal injury cases subject to electronic filing and service via LexisNexis File & Serve. ***A delay in registering could cause a delay in receiving time-sensitive case documents.***

Why do I need to designate an administrator? We recommend that you designate one person from your firm as the organization administrator of File & Serve so there is one point of contact. The administrator has special permissions to make necessary changes to File & Serve user and firm information. The organization administrator might also assist with coordinating training for the firm.

What if my firm is already registered with LexisNexis File & Serve?

If your firm already has an account established with LexisNexis File & Serve and everyone within your firm who files and serves documents in the cases subject to electronic filing and service already has a user name and password, then you do not need to take any further action. If your firm does not have an existing account, or if you need to add new LexisNexis File & Serve users, please refer to the Registration Information document for instructions.

Other questions? LexisNexis Customer Support is available 24/7 to assist you at **1.888.529.7587**.

To learn more about LexisNexis File & Serve: Please visit www.lexisnexis.com/fileandserve



LexisNexis® File & Serve Registration Information

Step 1. Registration

*If this is your firm's first use of LexisNexis File & Serve (LNFS), you will need to create a LNFS account before registering. The firm must designate an organization administrator (formerly called firm administrator) who will create the account and add users. The administrator will follow the *Instructions for New Subscribers in Section A below.**

*If your firm has a LexisNexis File & Serve account, contact your organization administrator to obtain a user name & password for yourself and anyone else who will need to serve or access documents in the case. The administrator will follow the *Instructions for Existing Subscribers in Section B below.**

To find out if your firm has a LexisNexis File & Serve account or the name of your administrator, please call Customer Support at 1.888.529.7587.

Section A: Instructions for New Subscribers (Administrator sets up account and registers users)

1. Visit www.lexisnexis.com/fileandserve/lawfirms/register.asp and click Register.
2. Add organization information.
3. Add user information for your organization's administrator (primary contact).
4. Add user information for every attorney and staff member in your firm who will need a user ID and password. Include full name, phone, fax, email and bar number (for attorneys). **All attorneys of record must have a user ID and password.**
5. Review system requirements.
6. Review and accept the Terms of Service Agreement by selecting an authorizing attorney.

Section B: Instructions for Existing Subscribers (Administrator registers new users).

1. Sign on to www.lexisnexis.com/fileandserve
2. Click Preferences in the upper-right hand corner of the screen.
3. Click Firm Profile.
4. Click the Add Users tab.
5. Enter user information for every attorney and staff member who will need a user ID and password. Include the individual's full name, phone, fax, email and bar number (for attorneys). **All attorneys of record must have a user ID and password.**

**For questions on registration, please contact Customer Support at 888.529.7587
24 hours a day, 7 days a week.**



**Training Opportunities for Law Firms and Attorneys
In Re: Digitek Litigation
In Re: Personal Injury Asbestos Litigation**

Welcome to LexisNexis File & Serve!

In order to make your transition to electronic filing and service as seamless as possible, we will offer both live (on-site) and web-based training opportunities to you over the next several weeks. The following training classes are provided free of charge for attorneys and staff members. The sessions should last approximately 2 hours.

On- Site Trainings: Two locations:

Pittsburgh, PA
Goldberg, Persky & White, PC
1030 Fifth Avenue
6th Floor
Pittsburgh, PA 15219-6295
Phone: 412-471-3980

Date: Friday 11/21/2008 Times: 10:00 a.m. – 12:00 and 1:30 – 3:30 p.m.
(Each session limited to 20 people)

Charleston, WV
Robinson & McElwee PLLC
400 Fifth Third Center
700 Virginia Street, East
P.O. Box 1791
Charleston, West Virginia 25301
Phone: 304-344-5800

Dates: Tuesday 12/02/2008 Times: 10:00 a.m. – 12:00 and 1:30 – 3:30 p.m.
Wednesday 12/03/2008 Times: 10:00 a.m. – 12:00 and 1:30 – 3:30 p.m.
(Each session limited to 30 people)

Web-based training:

Monday, November 24, 2008	10:00 a.m. - 12:00 p.m.
Monday, November 24, 2008	1:00 p.m. – 3:00 p.m.
Tuesday, November 25, 2008	10:00 a.m. – 12:00 p.m.
Friday, December 5, 2008	10:00 a.m. – 12:00 p.m.
Tuesday, December 9, 2008	10:00 a.m. – 12:00 p.m.
Thursday, December 11, 2008	1:30 p.m. – 3:30 p.m.

You must register for any of the Live or Web classes online by signing into File & Serve and clicking on the Resource Center link at the top right hand side of the screen. Simply scroll to the Education and Training section of the page and choose West Virginia from the drop down list. Choose the class you would like to attend and fill in the requested information. Once you have registered, you will receive a confirmation email.

Additional classes will be scheduled as necessary.

If one of the above training sessions does not work for your firm, please contact me to make other arrangements.

Additional Information: We also offer bi-weekly general, non-jurisdiction specific web-classes for "Introduction to File & Serve" on Monday afternoons at 1:30pm ET. This class will not cover West Virginia-specific rules and procedures but will give you a good foundation of electronic filing and service using File & Serve. This class is free of charge.

- If you are comfortable with the basics of File & Serve and would like to know more about the advanced features of our system, we also offer a class on [How to Use File & Serve as a Case Monitoring and Research Tool](#). This class is offered bi-weekly on Wednesdays at 1:30pm. This class is free of charge.



While you are on the Resource Center, check out our other free training options!

- **The LexisNexis Knowledge Base** provides quick references and step by step instructions for how to use the system. The link to the Knowledge Base is just below the Education and Training section of the Resource Center tab.
- **LexisNexis File & Serve Quick Guides** are located on the Knowledge Base and provide reference manual – style instructions with screenshots and detailed descriptions of each major area of File & Serve.
- **The Training Website** is located on the Resource Center and is available for your use 24 hours per day, 7 days a week. If you want some hands-on practice without the worry of accidentally submitting a transaction in the live environment, this is the tool for you.

Contacting Us

Our knowledgeable and well trained *Customer Support staff is available 24/7* to assist you with questions and technical issues at 888.529.7587.

Please feel free to contact me (information below) with any training needs or questions you may have.

I am very excited to be working with you in the coming months!

Sincerely,

Angela Melton, Esq.

LexisNexis File & Serve

Client Solutions and Training Specialist

angela.melton@lexisnexis.com

866-921-6972 Toll Free

888.529.7587 Law Firm Customer Support

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2008 NOV -3 PM 3:48

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

IN RE: DIGITEK® LITIGATION

CIVIL ACTION NO. 08-C-5555
CATHY S. GATSON, CLERK

ORDER

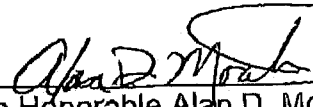
The Mass Litigation Panel ("Panel") has determined that it is appropriate for *In re: Digitek® Litigation*, Civil Action No. 08-C-5555 ("Digitek® Litigation"), to be subject to electronic filing and service ("e-filing and service"). Pursuant to West Virginia Trial Court Rule 15.02(c), the Panel ORDERS that all cases in the Digitek® Litigation are subject to e-filing and service beginning on December 8, 2008, as provided in Trial Court Rule 15.01 *et seq.* The Panel reminds the parties that, pursuant to Trial Court 15.02(b), e-filing and service shall not be used to initiate a civil action or to serve a new party with an amended complaint or a third-party complaint.

To facilitate implementation of e-filing and service, there will be a demonstration of the File & Serve program by LexisNexis, the e-filing and service provider designated by the Supreme Court, on November 20, 2008, beginning at 10:00 a.m. in Courtroom B on the 4th Floor of the Kanawha County Circuit Court Judicial Annex in Charleston, West Virginia. All Counsel of record and any self-represented parties are required to attend. Communications will be forthcoming from LexisNexis regarding registration and training for e-filing and service.

Please note that the location of the status conference scheduled for 1:00 p.m. on November 20, 2008, has been changed to Courtroom B on the 4th Floor of the Kanawha County Circuit Court Judicial Annex in Charleston, West Virginia.

The Clerk is ORDERED to forward a copy of this Order to the Clerks of the Circuit Courts of Putnam, Wayne, Ohio, and Brooke Counties to provide copies of the same to all Counsel of record and any self-represented parties.

ENTER: November 3, 2008


The Honorable Alan D. Moats
Chair, Mass Litigation Panel

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IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

2008 NOV -3 PM 3:48

In Re: Asbestos Personal Injury Litigation
Exigent Trial Group
Judge Ronald E. Wilson

Civil Action No. 03-C-9600

CS
CATHY S. GATSON, CLERK
KANAWHA CO. CIRCUIT COURT

ORDER DESIGNATING ELECTRONIC FILING AND SERVICE

The Mass Litigation Panel ("Panel") has determined that it is appropriate for certain Asbestos Personal Injury Litigation to be subject to electronic filing and service ("e-filing and service"). Pursuant to West Virginia Trial Court Rule 15.02(c), the Panel ORDERS that all cases in the February 2009 Asbestos Trial Group, all cases in the June 2009 Asbestos Trial Group, and any subsequent filings in cases initiated after December 8, 2008 are subject to e-filing and service beginning on **December 8, 2008**, as provided in Trial Court Rule 15.01 *et seq.* The Panel reminds the parties that, pursuant to Trial Court 15.02(b), e-filing and service shall not be used to initiate a civil action or to serve a new party with an amended complaint or a third-party complaint. Communications will be forthcoming from LexisNexis, the e-service provider designated by the Supreme Court, regarding registration and training for File & Serve, the e-filing and service program.

The Clerk is ORDERED to forward a copy of this Order to Liaison Counsel for distribution to all Counsel of record and any self-represented parties.

ENTER: November 3, 2008

Alan D. Moats
The Honorable Alan D. Moats
Chair, Mass Litigation Panel

LexisNexis® File & Serve E-filing and e-service transaction fees

Effective Date: 11/03/2008	Filing Related Fees (per transaction unless otherwise noted)				
Case Type	Case Set-up Fee	Single Case filing	1st Multi-case	Add'l Multi-case	Upload by fax
Complex	\$0.00	\$10.00	\$10.00	\$2.00**	\$0.40 per page + std filing fee
Mass tort	\$0.00	\$8.00	\$8.00	\$2.00**	\$0.40 per page + std filing fee
General Civil	\$0.00	\$6.00	\$6.00	\$2.00**	\$0.40 per page + std filing fee
Probate	\$0.00	\$5.00	\$5.00	\$2.00**	\$0.40 per page + std filing fee

**- Add'l Multi-case fee applies only once per case when transactions are filed and served

Service related Fees (per transaction unless otherwise noted)				
Case Type	Online service	Add'l Multi-case	Fax	U.S. Mail
Complex	\$12.00	\$2.00**	\$5.00 per trans + \$0.40 per page	\$5.00 per trans + \$0.15 per page, plus postage
Mass tort	\$12.00	\$2.00**	\$5.00 per trans + \$0.40 per page	\$5.00 per trans + \$0.15 per page, plus postage
General Civil	\$7.00	\$2.00**	\$5.00 per trans + \$0.40 per page	\$5.00 per trans + \$0.15 per page, plus postage
Probate	\$6.00	\$2.00**	\$5.00 per trans + \$0.40 per page	\$5.00 per trans + \$0.15 per page, plus postage

**- Add'l Multi-case fee applies only once per case when transactions are filed and served

Add'l Service Recipients (Write-in, US Mail or Fax)				
Case Type	Online \$0 w/online Service	Email	U.S. Mail	Fax
Complex	\$12.00	\$12.00	\$5.00 per trans + \$0.15 page	plus postage \$5.00 per trans + \$0.40 per page
Mass tort	\$12.00	\$12.00	\$5.00 per trans + \$0.15 page	plus postage \$5.00 per trans + \$0.40 per page
General Civil	\$7.00	\$6.00	\$5.00 per trans + \$0.15 page	plus postage \$5.00 per trans + \$0.40 per page
Probate	\$6.00	\$5.00	\$5.00 per trans + \$0.15 page	plus postage \$5.00 per trans + \$0.40 per page

Case Type	Courtesy Copy to Court Delivery		Support Assistance	Other Transaction Fees
	via U.S. Mail	via Courier, if available	Filing Assistance	Processing Fee, if applicable
Complex	\$5.00 per doc + \$0.15 per page, plus postage	\$20.00 per doc +\$.05 per page	\$95.00 per trans + std filing/svc fees	\$1.00
Mass tort	\$5.00 per doc + \$0.15 per page, plus postage	\$20.00 per doc +\$.05 per page	\$95.00 per trans + std filing/svc fees	\$1.00
General Civil	\$5.00 per doc + \$0.15 per page, plus postage	\$20.00 per doc +\$.05 per page	\$95.00 per trans + std filing/svc fees	\$1.00
Probate	\$5.00 per doc + \$0.15 per page, plus postage	\$20.00 per doc +\$.05 per page	\$95.00 per trans + std filing/svc fees	\$1.00

Premium Services					
Case Type	Alerts	Reports	Searches	Transcripts Purchase	e-Filed Document Purchase
Complex	\$10.00	\$6.00	\$6.00	per page plus Court Reporter fees	See Document Access Pricing Sheet
Mass tort	\$10.00	\$6.00	\$6.00	per page plus Court Reporter fees	See Document Access Pricing Sheet
General Civil	\$10.00	\$6.00	\$6.00	per page plus Court Reporter fees	See Document Access Pricing Sheet
Probate	\$10.00	\$6.00	\$6.00	per page plus Court Reporter fees	See Document Access Pricing Sheet

See Optional Service Price Sheet for additional pricing information and services available at LexisNexis File & Serve Resource Center