

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 9th day of October, 2008, the following order was made and entered:

RE: APPROVAL OF AMENDMENT TO WEST VIRGINIA TRIAL COURT RULE 16.05(a)

On a former day, to-wit, May 22, 2008 the Court approved a period of public comment on a proposed amendment to Rule 16.05(a) of the West Virginia Trial Court Rules, as recommended by the Mass Litigation Panel. The period of public comment concluded on July 7, 2008. Thereafter, the Mass Litigation Panel presented to the Court the proposed amendment without revision.

Upon consideration whereof, the Court is of opinion to and does hereby approve and adopt the proposed amendment, effective immediately. Justice Albright did not participate in the consideration of this matter. Senior Status Justice McHugh sitting by temporary assignment. Insertions are indicated by underscoring, deletions by strikethrough, to read as follows:

"16.05. Time Standards for Civil Cases

(a) *Applicability.* – This rule governs general civil cases and does not apply to domestic relations, juvenile delinquency, abuse and neglect, mental hygiene, guardianship or conservatorship, cases referred to the Mass Litigation Panel pursuant to Rule 26, extraordinary writs, appeal, declaratory judgment, and equity proceedings."

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court