

COMMONWEALTH OF KENTUCKY
PIKE CIRCUIT COURT
DIVISION NO. I
CA NO. 10-CI-1290

BERTHA ADKINS, ET AL

PLAINTIFFS

VS. **MOTION TO FILE FOURTH AMENDED COMPLAINT**

CAMBRIAN COAL CORPORATION, ET AL

DEFENDANTS

Come the Plaintiffs, Bertha Adkins, et al, by and through counsel, and hereby ask that the attached Fourth Amended Complaint be filed. In support of this motion the Plaintiffs state that the Fourth Amended Complaint also references other causes of damage, including those described in the original complaints, which the Plaintiffs contend were caused by the Defendants acting in deliberate and reckless disregard of the rights of the Plaintiffs.

WHEREFORE, an appropriate order is sought allowing the filing of the attached Fourth Amended Complaint.

RESPECTFULLY SUBMITTED,

PILLERSDORF, DEROSSETT, AND LANE
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PRESTONSBURG, KENTUCKY 41653
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NED PILLERSDORF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion has been duly served by U.S. mail delivery to: **HON. SUSAN MAINES**, Casey, Bailey & Maines, PLLC, 3151 Beaumont Centre Circle, Suite 200, Lexington, KY 40513; **HON. ROBERT JOSEPH PATTON**, Kinner & Patton, 328 E. Court Street, Prestonsburg, KY 41653; and the original to: **CLERK**, Pike Circuit Court, P.O. Box 1002, Pikeville, KY 41502, on this the ____ day of April, 2011.

NED PILLERSDORF