

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY

MARY WEBB, individually, and in her
capacity as Administratrix of the
Estate of Robert A. Webb,

Plaintiffs,

v.

Civil Action No.: 5:09-CV-1253

RALEIGH COUNTY SHERIFF'S DEPARTMENT;
RALEIGH COUNTY COMMISSION; SHERIFF DANNY
MOORE, individually, and in his official capacity;
CHIEF DEPUTY STEVE TANNER, individually, and in
his official capacity; DEPUTY GREG S. KADE, individually,
and in his official capacity; and DEPUTY JOHN E. HAJASH,
individually, and in his official capacity

Defendants.

NOTICE TO WITHDRAW PLEADING

Now comes Kermit J. Moore, of Brewster, Morhous, Cameron, Caruth,
Moore, Kersey & Stafford, PLLC, as counsel for defendant Deputy John E. Hajash,
individually and in his official capacity, and advises the Court that there is no longer a
conflict for the undersigned counsel for the May 2, 2011, trial date. The conflicting
McDowell County case has been stayed. Defendant, therefore, withdraws his pleading
entitled Notice of Scheduling Conflict Pursuant to T.C.R. Rule 5.01 that was filed on
March 10, 2011.

JOHN E. HAJASH

By Counsel.

/s/ Kermit J. Moore
Kermit J. Moore
West Virginia State Bar #2611
Timothy G. Hayes
West Virginia State Bar #9517
Brewster, Morhous, Cameron, Caruth,
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CERTIFICATE OF SERVICE

I, Kermit J. Moore, counsel for Deputy John E. Hajash, in the above-styled civil action, hereby certify that on the 29th day of March, 2011, I electronically filed the NOTICE TO WITHDRAW PLEADING with the Clerk of this Court using the CM/ECF system which will send notification of such filing to CM/ECF participants:

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Deputy Greg S. Kade*

/s/ Kermit J. Moore
Kermit J. Moore