

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG DIVISION**

**MATTHEW EDWARD TURNER, et al.,**

**Plaintiff,**

**v.**

**Civil Action No. 3:04CV101  
(Judge Bailey)**

**UNITED STATES OF AMERICA,**

**Defendant.**

**ORDER OF STATUS CONFERENCE APPOINTING  
GUARDIAN AD LITEM**

On August 13, 2007, the parties in the above-styled civil action appeared before the Court for a telephonic status conference. Both the plaintiffs and the defendant were present by their respective counsel, J. Michael Benninger and Helen Campbell Altmeyer.

As an initial matter, the parties informed the Court that they had reached a settlement of the matters in dispute, and as such, requested that the Court schedule a settlement conference. Finding good cause, the Court **ORDERED** that a **settlement conference** be held on **August 24, 2007 at 11:00 am, in Wheeling, West Virginia.**

Moreover, and in recognition of the rights of the minor plaintiffs, it is **ORDERED** and **ADJUDGED** that **Howard W. Klatt**, being a duly licensed and competent practicing attorney before the bar of this Court, be appointed *Guardian Ad Litem* to:

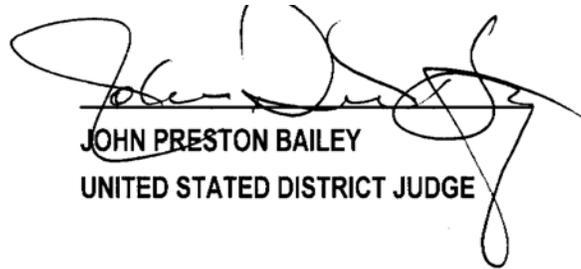
1. Verify the facts and circumstances alleged in the petition for settlement; and
2. File an answer to the petition for settlement indicating whether, in the opinion of the *guardian ad litem*, the settlement, release, and distribution contained in the petition serves the best interests of the minor plaintiffs.

Consistent with this Court's directive, it is **FURTHER ORDERED** that plaintiffs' counsel provide the *guardian ad litem* with a copy of the petition for settlement and any additional materials necessary for the performance of his duty.

It is so **ORDERED**.

The Clerk is directed to transmit a copy of this order to the *guardian ad litem* and all counsel of record.

DATED: August 21, 2007.



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE