

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

IN RE:	) 3:09-CV-009	3:09-CV-568	3:09-CV-604
	) 3:09-CV-014	3:09-CV-569	3:09-CV-605
	) 3:09-CV-048	3:09-CV-570	3:10-CV-191
TENNESSEE VALLEY AUTHORITY	) 3:09-CV-054	3:09-CV-571	3:11-CV-217
ASH SPILL LITIGATION	) 3:09-CV-064	3:09-CV-572	3:11-CV-489
	) 3:09-CV-114	3:09-CV-578	3:11-CV-574
	) 3:09-CV-491	3:09-CV-579	3:11-CV-575
	) 3:09-CV-495	3:09-CV-582	3:11-CV-581
	) 3:09-CV-496	3:09-CV-583	3:11-CV-582
	) 3:09-CV-497	3:09-CV-584	3:11-CV-588
	) 3:09-CV-504	3:09-CV-589	3:11-CV-589
	) 3:09-CV-517	3:09-CV-590	3:11-CV-590
	) 3:09-CV-529	3:09-CV-591	3:11-CV-591
	) 3:09-CV-550	3:09-CV-592	3:11-CV-596
	) 3:09-CV-553	3:09-CV-593	3:11-CV-603
	) 3:09-CV-554	3:09-CV-594	3:11-CV-604
	) 3:09-CV-555	3:09-CV-595	3:11-CV-605
	) 3:09-CV-563	3:09-CV-296	3:11-CV-606
	) 3:09-CV-564	3:09-CV-597	3:11-CV-607
	) 3:09-CV-565	3:09-CV-602	3:11-CV-612
	) 3:09-CV-566	3:09-CV-603	3:11-CV-613
	)	(VARLAN/GUYTON)	

ORDER

The above-captioned actions are a part of the Tennessee Valley Authority (“TVA”) Ash Spill Litigation, which arose following the failure of a coal ash containment dike at TVA’s Kingston Fossil plant (the “KIF plant”) on December 22, 2008. The entire TVA Ash Spill Litigation currently encompasses more than 60 cases pending before the undersigned and involves more than 800 plaintiffs [*See Doc. 517-1*].¹

¹Unless otherwise specified, all docket entry notations contained herein are numbered according to the docket entry sheet in *Chesney, et al. v. TVA, et al.*, Case No. 3:09-CV-09.

On November 20, 2012, the Court referred these cases to mediation [Doc. 523], ordering that the parties mediate this litigation in good faith within one hundred twenty (120) days of entry of the Court's order. The parties now jointly move for additional time within which to mediate. They ask for an extension of one hundred twenty (120) days.

Because of the parties' agreement and the complexity of this litigation, the Court hereby **GRANTS** the motion [Doc. 527] and the parties shall have an additional one hundred twenty (120) days to mediate in good faith. This litigation shall be **STAYED** during the mediation. Within seven (7) days following the conclusion of the mediation, or within two hundred forty-seven (247) days of the entry of the order referring this litigation to mediation, the mediators shall file a report with the Court stating the outcome of the mediation, as contemplated by Local Rule 16.4(m). If the parties are unable to completely resolve this litigation pursuant to mediation, they also shall so report to the Court, along with any updates to their Phase II proposals, within two hundred forty-seven (247) days of the entry of the order referring this litigation to mediation, and the Court will then enter an order directing how Phase II will proceed.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE