

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

AXIALL CORPORATION,

CIVIL DIVISION

Plaintiff

No. GD-18-010944

v.

ALLTRANSTEK LLC, RESCAR, INC.
t/d/b/a RESCAR COMPANIES, and
SUPERHEAT FGH SERVICES, INC.,

Defendants

ORDER OF COURT

AND NOW, this 8th day of August, 2022, upon consideration of the Motion to Reconsider Reduction of Delay Damages Due to COVID-19 Orders filed by Plaintiff Axiall Corporation, it is hereby **ORDERED** said Motion be, and the same hereby is **GRANTED** and that Paragraph 2(b)(i) of this Court's February 16, 2022 is **AMENDED** to state, in its entirety, as follows:

Pursuant to Pa. R. Civ. P. 238, Axiall Corporation is entitled to delay damages for property damages for the period from one year after filing of this action on August 24, 2018, through the date of the verdict, i.e., from August 24, 2019 through October 14, 2021. Stated delay damages shall be calculated on 60% of the full verdict.

In all other respects, this Court's Order of February 16, 2022 remains unchanged.

BY THE COURT:

Christine Ward A.J.
Hon. Christine A. Ward