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Virginians Overcome Impossible Odds to Prevail in the Supreme Court Against the World's Largest Brick Company

In what is being called a landmark legal decision, on Friday, January 14, 2005, the Supreme Court of Virginia handed down its ruling in the Barboursville/General Shale case reversing Circuit Court Judge Daniel R. Bouton and ruling that the Circuit Court erred in holding that General Shale could legally operate a part of its strip mining operation in a residentially zoned area.

The Supreme Court's decision marks the end of a contentious four-year legal battle that pitted the tenacious people of Barboursville, Virginia as substantial underdogs against the powerful brick maker, General Shale Products, Inc., a subsidiary of Wienerberger, the largest brick making corporation in the world.

The struggle that began at the local government level rose through the Circuit Court all the way to the Virginia Supreme Court. At stake was the health and safety of a thriving residential community and the future use of 139 acres of land located in Barboursville in the heart of the Madison-Barbour Rural Historic District, a nationally recognized historic landscape, and surrounded by two internationally acclaimed wineries, an art gallery and Carey Town, an African-American community of national significance settled by freed slaves during Emancipation.

The Supreme Court's ruling supported the community's belief that the brick corporation was illegally attempting to operate a part of its mining operation in a residential area, without concern or regard for the existing nearby businesses and families, some of whom live only fifty feet from the proposed strip mine site.

The attorneys of Strother Law Offices, PLC are honored to have been part of this real life legal drama and compelling human interest story involving a small group of ordinary citizens and their young attorney. Together they took on six lawyers, four law firms and the largest brick making corporation in the world, fighting against impossible odds involving life threatening circumstances and vicious personal attacks to win in the state's highest court.

This legal victory is a testament to the will and perseverance of a few ordinary citizens who fought courageously to protect their homes and community. It is encouraging that this decision will provide support for every Virginian who lives in a residentially zoned area that he or she should be protected from unacceptable intensive industrial type uses, such as mining, in their residential neighborhoods.