

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

FILED  
2019 MAR -1 PM 2:43  
CATHY S. EASTMAN, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**SOARING EAGLE LODGE MASTER ASSOCIATION, INC.**, a West Virginia non-profit corporation; and **SOARING EAGLE LODGE ASSOCIATION, INC.**, a West Virginia, non-profit corporation,

**Plaintiffs,**

v.

**Civil Action No.: 15-C-2202**

**Presiding Judge: Joanna I. Tabit**

**Resolution Judge: James A. Matish**

**SOARING EAGLE DEVELOPMENT COMPANY, LLC**, a West Virginia limited liability company; **GBBN ARCHITECTS, INC.**, an Ohio Corporation; and **BRANCH & ASSOCIATES, INC.**, a Virginia corporation,

**Defendants.**

and

**BRANCH & ASSOCIATES, INC.**, a Virginia corporation,

**Third-Party Plaintiff,**

v.

**APPLIED MECHANICAL SYSTEMS, INC.**, a West Virginia corporation, **EAST COAST SIDING, INC.**, a Maryland corporation, **RICHARDSON AND MARCH CARPENTRY, LLC**, a West Virginia limited liability company, **TRI-STATE ROOFING & SHEET METAL COMPANY OF WEST VIRGINIA**, a West Virginia corporation,

**Third-Party Defendants,**

and

**SOARING EAGLE DEVELOPMENT COMPANY, LLC,**  
a West Virginia limited liability company,

**Third-Party Plaintiff,**

v.

**TRI-STATE ROOFING & SHEET METAL COMPANY  
OF WEST VIRGINIA, a/k/a TRI-STATE ROOFING &  
SHEET METAL CO., a West Virginia corporation;  
APPLIED MECHANICAL SYSTEMS, INC.,  
an Ohio corporation, RICHARDSON AND MARCH  
CARPENTRY, LLC, a West Virginia limited liability  
Company, RICHARDSON CARPENTRY, LLC, a  
West Virginia limited company, and EASTCOAST  
SIDING, INC., a Maryland corporation,**

**Third-Party Defendants,**

v.

**O.C. CLUSS LUMBER COMPANY,**  
a Pennsylvania corporation,

**Third-Party Defendant,**

and

**BRANCH & ASSOCIATES, INC.,**  
a Virginia corporation,

**Third-Party Plaintiff,**

v.

**GAF MATERIALS CORPORATION,**  
a New Jersey corporation,

**Third-Party Defendant,**

and

**O.C. CLUSS LUMBER COMPANY,  
a Pennsylvania corporation,**

**Fourth-Party Plaintiff,**

**v.**

**GAF MATERIALS CORPORATION,  
a New Jersey corporation, and FIBERON, LLC,  
a North Carolina limited liability company,**

**Fourth-Party Defendants.**

**RULE 22 SCHEDULING ORDER**

This matter came before the Court pursuant to GAF Materials Corporation's Motion to Dismiss Richardson and March Carpentry's Amended Counterclaims and/or Cross-Claims.

Therefore, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

The movant will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Non-movant(s) shall file written response and proposed orders by **March 12, 2018**.

The movant may then file a rebuttal memorandum by **March 19, 2018**. Thereafter the Court will rule upon the motion and the record or schedule a hearing if the Court deems necessary.

Any original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via [Lynne.Coppala@courtswv.gov](mailto:Lynne.Coppala@courtswv.gov) with a courtesy copy to both [Business.Court@courtswv.gov](mailto:Business.Court@courtswv.gov) and [Claire.Watson@courtswv.gov](mailto:Claire.Watson@courtswv.gov). Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court. The Court directs the Circuit Clerk to enter the foregoing and forward an attested copy to all counsel of record and any self-represented parties.

ENTER this 1<sup>st</sup> day of March, 2018.

Joanna I. Tabit  
JOANNA I. TABIT, JUDGE  
BUSINESS COURT DIVISION  
15-C-2202

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, SS  
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY  
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE COPY FROM THE RECORDS OF SAID COURT  
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 2nd  
DAY OF March 2018  
Cathy S. Gatson CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Date: 3/2/18  
Certified copies sent to:  
 counsel of record  
 parties  
 other (please indicate)  
By:  certified/1st class mail  
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 interdepartmental  
Other alternative accomplished:  
A. Allen  
Deputy Circuit Clerk

Judge Matish  
Bus Ct  
MV  
NS  
MB  
JM  
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EP  
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