

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

2018 MAR - 14 PM 2:43
CATHY S. GIBSON, 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 Modern Lightning Protection Co., Inc.'s Motion to Dismiss the Third-Party Plaintiff, Branch & Associates, Inc.'s Third-Party Complaint Against Modern Lightning Protection Co., Inc. 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 with a courtesy copy to both Business.Court@courtswv.gov and 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 1st 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
 fax
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Other directives accomplished:
Kall
Deputy Circuit Clerk

Bus Co
Judge Matish
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