ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

MarkWest Liberty Midstream & Resources, L.L.C.,
Plaintiff

vs.) **Civil Action No. 16-C-82** (Wetzel County)

J.F. Allen Company; Amec Foster Wheeler Environmental & Infrastructure, Inc.; Redstone International, Inc.; Coastal Drilling East, LLC; Civil & Environmental Consultants, Inc.,
Defendants

and

J. F. Allen Company,
Defendant/Third-Party Plaintiff,

vs.

The Lane Construction Corporation,
Third-Party Defendant

The Honorable Jeffrey D. Cramer, Judge of the Second Judicial Circuit, has filed a motion to refer the above-referenced action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Plaintiff MarkWest Liberty Midstream & Resources, L.L.C., by counsel, Jason L. Richey, Richard F. Paciaroni, Thomas C. Ryan, Katherine M. Gafner, Travis L. Brannon, and the law firm of K&L Gates LLP, and William Crichton VI and the law firm of Crichton & Crichton, filed a response indicating that it takes no position on the motion to refer. Defendant Amec Foster Wheeler Environmental & Infrastructure, Inc., by counsel, Vic L. McConnell, Jamie F. Little, and the law firm of Smith Cashion & Orr, PLC, and Donald J. Tennant Jr. and the Tennant Law Offices, filed a response in support of the motion to refer. Defendant Coastal Drilling East, LLC, by counsel, Stephen F. Gandee & the law firm of Robinson & McElwee PLLC, also filed a response in support of the motion to refer. Finally, Defendant Redstone International, Inc., by counsel, Bruce E. Stanley, Alicia M. Schmitt, and the law firm of Stanley & Schmitt PC, and Michael A. Jacks and Jacks Legal Group, P.L.L.C., filed a response in support of the motion to refer.

Upon careful review and consideration of the motion and the responses thereto, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Jeffrey D. Cramer, Judge of the Second Judicial Circuit; and to the Clerk of the Circuit Court of Wetzel County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: APRIL 10, 2018

Margaret L. Workman, C.J.

MARGARET L. WORKMAN
Chief Justice