

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

FILED

2018 MAY 23 PM 3:59

CATHY S. GATSON, 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: Tabit**

**Resolution Judge: 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

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

**Third-Party Plaintiffs,**

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; JAMES  
HARDIE  
AND MARCH CARPENTRY, LLC, A West  
Virginia limited liability company; and  
EASTCOAST SIDING, INC., a Maryland  
corporation,**

**Third-Party Defendants,**

And

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

**Third-Party Plaintiffs,**

v.

**O.C. CLUSS LUMBER COMPANY, a Pennsylvania corporation, and GAF MATERIALS CORPORATION, a New Jersey corporation; QUALITY STONE VENEER, INC.; MODERN LIGHTNING PROTECTION, INC.; JAMES HARDIE BUILDING PRODUCTS, INC.; and FIBERON, LLC,**

**Third-Party Defendants,**

**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,**

**and**

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

**Third-Party Plaintiff,**

**v.**

**THE TRAVELERS INDEMNITY COMPANY OF AMERICA, a Connecticut corporation and Travelers Property and Casualty Company of America,**

**Third-Party Defendant.**

**ORDER GRANTING DEFENDANT/THIRD-PARTY PLAINTIFF, BRANCH & ASSOCIATES, INC.'S, MOTION TO EXTEND TIME TO RESPOND TO GAF MATERIAL CORPORATION'S MOTION FOR SUMMARY JUDGMENT**

Pending before the Court is Branch & Associates, Inc.'s (hereinafter "Branch") *Motion to Extend Time to Respond to GAF Material Corporation's Motion for Summary Judgment* filed by GAF Material Corporation (hereinafter "GAF") on May 15, 2018.

Hearing no objection from non-movants, the Court does hereby GRANT Branch's Motion to Extend Time to Respond, and ORDERS that Branch's response is due on June 8, 2018.

The Clerk is **DIRECTED** to send a certified copy of this *Order* to all counsel of record.

ENTERED this 23<sup>rd</sup> day of May, 2018.

Joanna A. Tabit  
HONORABLE JOANNA TABIT  
BUSINESS COURT DIVISION

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 24  
DAY OF May 2018  
Cathy S. Gatson CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Date: 5/24/18  
Certified copies sent to:  
 counsel of record  
 parties  
 other (please indicate)  
By:  certified/1st class mail  
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Other directives accomplished:  
[Signature]  
Deputy Circuit Clerk

Bus Ct  
Judge matish  
WA RT M M  
EH MH NS  
EP RH SG  
JS SG MB  
RS JM MV  
NS JH