

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**WW Consultants, Inc., a Virginia Corporation,
Plaintiff**

vs.) **Civil Action No. 18-C-115 (Kanawha County)**

**Pocahontas County Public Service District, a public corporation and local political subdivision of the State of West Virginia, Mark Smith, David Gandee, and David Dragan, in their official capacity as board members of the Pocahontas County Public Service District, the West Virginia Department of Environmental Protection, a department of the State of West Virginia, and the West Virginia Water Development Authority, an instrumentality of the State of West Virginia,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff WW Consultants, Inc., by counsel, Nathaniel K. Tawney, Keith R. Hoover, and the law firm of Flaherty Sensabaugh Bonasso and Paul M. Mannix and the law firm of Marcus & Shapira LLP, and Defendants Pocahontas County Public Service District, Mark Smith, David Gandee, and David Dragan, by counsel, Christopher D. Negley, Michael D. Dunham, and the law firm of Shuman, McCuskey & Slicer, PLLC, have filed a joint motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

Upon careful review and consideration of the joint motion, 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 Louis H. Bloom, Judge of the Thirteenth Judicial Circuit, and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JULY 10, 2018


MARGARET L. WORKMAN
Chief Justice