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BUSINESS COURT DIVISION- WEST VIRGINIA SUPREME COURT OF APPEALS  
IN THE CIRCUIT COURT OF KANAWHA COUNTY

WEST VIRGINIA  
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; RICHARDSON  
AND MARCH CARPENTRY, LLC., a West  
Virginia limited liability company;  
EASTCOAST SIDING, INC., a Maryland  
Corporation,

Third-Party Defendants,

and

929-930

BRANCH & ASSOCIATES, INC., a  
Virginia corporation,

Third-Party Plaintiff,

vs.

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

vs.

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,

vs.

THE TRAVELERS INDEMNITY COMPANY  
OF AMERICA, a Connecticut  
corporation; and TRAVELERS PROPERTY  
AND CASUALTY COMPANY OF AMERICA,

Third-Party Defendant.

ORDER

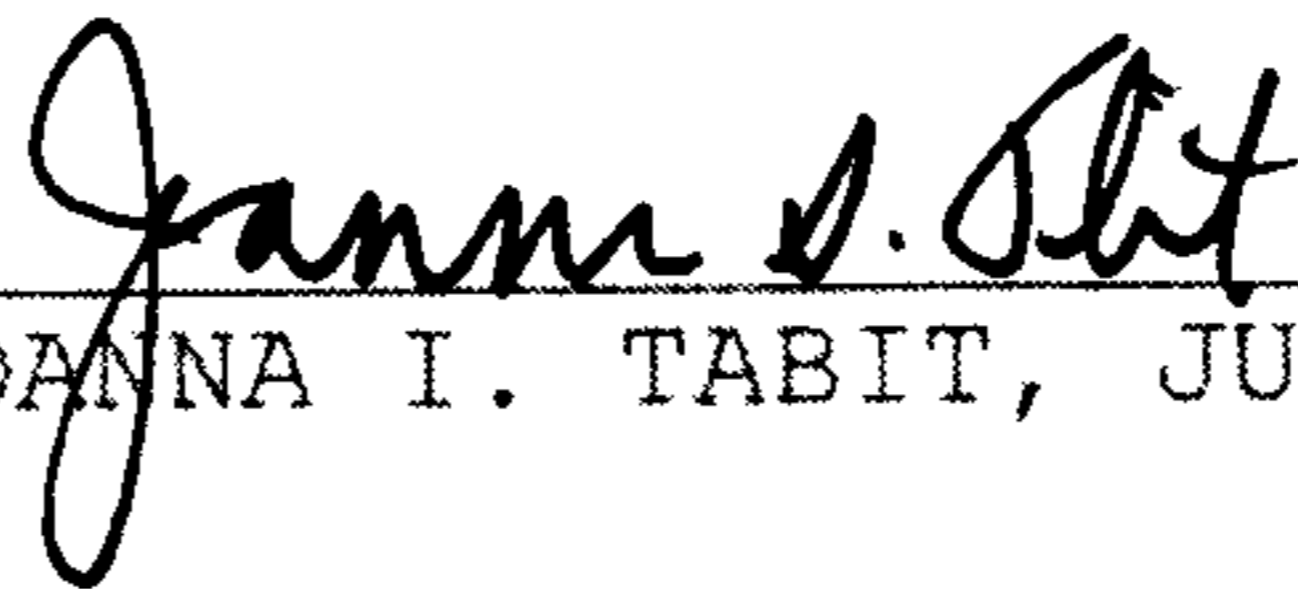
This matter is before the Court again upon *Branch & Associates, Inc., 's, GBBN Architects Inc., 's and Richardson and March Carpentry, LLC's Motion to Direct Entry of Order of September 19, 2018, as Final Judgment*, following the hearing held on August 9, 2018, and the entry of the *Final Order Enforcing Settlement of All Claims*, on September 19, 2018.

Having considered the relevant portions of the records, and after noting no objection or response to the pending motion filed pursuant to Rule 54(b), *West Virginia Rules of Civil Procedure*, and upon good cause shown, the Court is of the opinion that there is a factual and legal basis to grant the pending motion. Accordingly, the Court hereby finds and expressly determines that there is no just reason for delay and that the *Final Order Enforcing Settlement of All Claims* shall serve as final judgment as to the claims, counterclaims, cross-claims, and third-party and fourth-party claims made in this case by the multiple parties who settled and resolved their claims during the mediation held on June 15, 2018, and that final judgment as to the claims of the settling parties shall be entered by the Clerk of this Court.

It is so **ORDERED**.

The Clerk is directed to file, of record, this Order, and transmit same to all counsel for each party named in this civil action.

Enter: October 12, 2018

  
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JOANNA I. TABIT, JUDGE

PREPARED AND SUBMITTED BY:

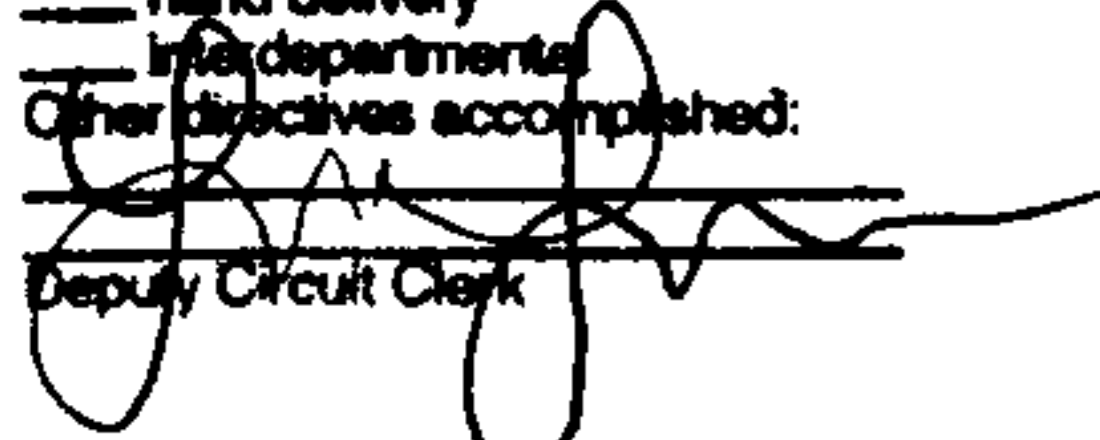


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*Counsel for Plaintiffs*

Date: 10/15/18  
Certified copies sent to:  
 counsel of record  
 parties  
 other  
(please indicate)

By:  certified/1st class mail  
 fax  
 hand delivery  
 info departmental

Other directives accomplished:  
  
\_\_\_\_\_  
Deputy Circuit Clerk