

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**American Bituminous Power Partners, L.P.,  
a Delaware Limited Partnership,  
Plaintiff**

vs.) **Civil Action No. 18-C-130** (Marion County)

**Horizon Ventures of West Virginia, Inc.,  
a West Virginia corporation,  
Defendant**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff American Bituminous Power Partners, L.P., by counsel, John F. McCuskey, Roberta F. Green, Dominick R. Pellegrin, and the law firm of Shuman McCuskey & Slicer, PLLC, has filed a 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 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 Michael D. Lorensen, 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 David R. Janes, Judge of the Sixteenth Judicial Circuit; and to the Clerk of the Circuit Court of Marion County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: FEBRUARY 19, 2019



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ELIZABETH D. WALKER  
Chief Justice