

FILED

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

APR 23 PM 2:06

SATHY 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,

vs.

**Civil Action No.: 15-C-2202
Presiding Judge Lorensen
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

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

Third-Party Defendant.

ORDER

On the 22nd day of April 2019, came Plaintiffs, Soaring Eagle Lodge Master Association, Inc., a West Virginia non-profit corporation and Soaring Eagle Lodge Association, Inc., a West Virginia non-profit corporation, by counsel, Shawn P. George, Esq., and Third-Party Defendants, The Travelers Indemnity Company of America, a Connecticut corporation, and Travelers

9410

Property and Casualty Company of America, by counsel, Andrew "Jack" Smith, Esq., for a telephonic status and scheduling conference. Whereupon the Court heard oral argument from both parties pertaining to the parties' belief that a motion for summary judgment should be filed and briefed before a meaningful scheduling conference can commence, the Court grants the request and concludes and finds as follows:

Third-Party Defendants shall have until May 15, 2019 to file a Motion for Summary Judgment, provide a proposed order to the Court, and serve a copy of both upon the non-moving party. Thereafter, Plaintiffs shall have twenty-one (21) days to file a written response and proposed order, and serve copies of the same on the moving party. Third-Party Defendants shall then have ten (10) days to file a rebuttal memorandum, if desired.

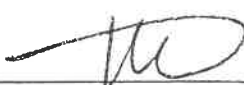
Further, the Court ORDERS that a hearing on said Motion for Summary Judgment will be held Wednesday, June 19, 2019 at 10:00 a.m. in the courtroom in the Kent Carper Building, 301 Virginia St. East, Charleston, West Virginia. At this date, the Court may also take up scheduling as needed.

All original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Deborah.Grissinger@courtswv.gov with a courtesy copy to both Business.Court@courtswv.gov and Tessa.Bowers@courtswv.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

Date: 4/25/19
 Certified copies sent to:
 counsel of record
 parties
 other
 By: _____ (please indicate)
 certified/1st class mail
 fax
 hand delivery
 interdepartmental
 Other directives accomplished: _____
 Deputy Circuit Clerk

*Bus Ct. H. Stifffield
 M. Markins R. Libbey
 E. Whitt S. George
 M. Victorson J. McCall
 N. Stueckell M. Bennett
 M. Hession N. Schaeffer
 J. Smith J. Harbo
 J. Way A. Ballard
 W. Ardenaux
 R. Deaton*


 Michael D. Lorensen, Judge
 Business Court Division

STATE OF WEST VIRGINIA
 COUNTY OF RANKIN, 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 25
 DAY OF APRIL 2019
 Cathy S. Gatson, Clerk
 COUNTY OF RANKIN, WEST VIRGINIA