

**IN THE CIRCUIT COURT OF TYLER COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

DIRECTIONAL ONE SERVICES INC. USA,
a foreign corporation authorized to do business
in the State of West Virginia,

Plaintiff,

v.

CIVIL ACTION NO: 18-C-14
(Hon. H. Charles Carl III, Presiding Judge)

ANTERO RESOURCES CORPORATION,
a foreign corporation authorized to do business
in the State of West Virginia,

Defendant.

FILED

JUL -1 2019

Candy L. Warner
Tyler Co. Circuit Clerk

ORDER REGARDING PRE-TRIAL CONFERENCE

CAME the Parties, in a Pre-Trial Conference held pursuant to this Court's prior Scheduling Order, on June 21, 2019, commencing at 11:00 a.m. in the Monongalia County Justice Center, (Judge Gaujot's Courtroom), 75 High Street, Morgantown, West Virginia.

1. Sean McGinley (WV Bar 5836) and Christopher Kamper (appearing pro hac vice) appeared for the Plaintiff, John D. Pizzo (WV Bar 12680) and W. Henry Lawrence (WV Bar 2156) appeared for the Defendant.

2. The Court heard oral argument by counsel for both Parties regarding the following previously filed motions:

- a. Plaintiff's Motion for Partial Summary Judgment;
- b. Defendant's Motion for Summary Judgment;
- c. Plaintiff's Motion in Limine regarding Evidence of Gifts and Travel;
- d. Plaintiff's Motion in Limine regarding Evidence of Authority and Pricing;
- e. Defendant's Motion in Limine No. 1 regarding Evidence not Produced in Discovery;

- f. Defendant's Motion in Limine No. 2 regarding Evidence of ARK Directional Services, Inc.;
- g. Defendant's Motion in Limine No. 3 regarding Evidence of Wealth, Profits, or Relative Size of Defendant;
- h. Defendant's Motion in Limine No. 4 regarding Testimony by W.R. Farmer;
- i. Defendant's Motion in Limine No. 5 regarding Testimony by Dan Selby; and
- j. Defendant's Motion in Limine No. 6 regarding Evidence of Unexecuted Pricing Proposals.

3. The foregoing Motions were taken under advisement by the Court. The Parties shall, through counsel, each submit proposed orders regarding the Parties' summary judgment motions (each Party to submit separate orders regarding such Party's own summary judgment motion and the opposing Party's summary judgment motion). The Parties shall submit such proposed orders in Word files and by email to jamie.ketterman@courtswv.gov and tessa.bowers@courtswv.gov. The Parties shall submit such orders by no later than July 8, 2019, being the date within 10 days of the Pre-Trial Conference, .

4. Conference was had regarding a briefing schedule for Defendant's Second Motion to Compel. As set forth in the Court's Order dated May 8, 2019, Defendant shall file a Reply Memorandum concerning such motion by June 27, 2019.

5. A second Pre-Trial Conference is set for October 18, 2019, commencing at 1:00 p.m. at the Tyler County Courthouse, 121 Main Street, Middlebourne, WV 26149.

6. THIS MATTER is set for a 5-day jury trial commencing on October 28, 2019, commencing at 9:00 a.m. at the Tyler County Courthouse, 121 Main Street, Middlebourne, WV 26149.

7. The Pre-Trial Conference was then adjourned.

The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, to any pro se parties of record, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

By: W. Henry Lawrence (w/ permission - RMB)
W. Henry Lawrence, WV Bar 2156
John D. Pizzo, WV Bar 12680
Steptoe & Johnson, PLLP
Counsel for Defendant

By: Sean P. McGinley (w/ permission - RMB)
Sean McGinley, WV Bar 5836
DiPiero Simmons McGinley & Bastress, PLLC
Counsel for Plaintiff

By: Christopher Kamper
Christopher Kamper, pro hac vice, Colorado Bar 24629
Carver Schwarz McNab Kamper & Forbes, LLC
Counsel for Plaintiff

ENTERED this 1st day of June, 2019.

J. Charles Carl, III
JUDGE H. CHARLES CARL, III
West Virginia Business Court Division

received
7/1/19

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.
Attest: [Signature] Clerk
Circuit Court of Tyler County, West Virginia
By: [Signature] Deputy