

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on June 15, 2020, the following order was made and entered:

State of West Virginia ex rel.
Blue Cross and Blue Shield of Alabama, et al.,
Petitioners

vs.) No. 20-0296

Honorable Shawn D. Nines, Judge of the
Circuit Court of Wood County, Business Court Division, and
MedTest Laboratories, LLC,
Respondents

ORDER GRANTING STAY

On May 22, 2020, the petitioners Blue Cross and Blue Shield of Alabama, et al., by counsel, Andrew B. Cooke, Thomas Combs & Spann, filed a motion to stay the proceedings in the Circuit Court of Wood County, for the reasons set forth therein. Thereafter, on June 1, 2020, the respondent, MedTest Laboratories, LLC, by counsel, Raymond S. Franks II, Bailey & Glasser LLP, filed a response to the motion.

Thereafter, on June 3, 2020. The respondent, Highmark West Virginia Inc., by counsel, Stuart A. McMillan, Peter G. Markham, and Gabriele Wohl, Bowles Rice LLP, filed a motion for leave to file a response to the motion to stay, out-of-time, along with the response. The motion for leave to file a response, out-of-time, is hereby granted and the response is ordered filed.

Upon consideration, the Court is of the opinion to and does hereby grant the motion to stay. It is therefore ordered that the proceedings in the Circuit Court of Wood County, Business Court Division (Civil Action No. 18-C-271) shall be, and hereby are, stayed, pending resolution of this matter. Justices Workman and Hutchison would refuse the motion.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

