

FILED  
2023 SEP 13 PM 9:35  
COURT CLERK  
KANAWHA COUNTY CIRCUIT COURT

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

**WW CONSULTANTS, INC.,  
PLAINTIFF/COUNTERCLAIM DEFENDANT**

**and**

**THIRD-PARTY PLAINTIFF,**

**CIVIL ACTION NO. 18-C-115  
Hon. Christopher Wilkes, Judge**

**v.**

**POCAHONTAS COUNTY PUBLIC SERVICE DISTRICT,  
DEFENDANT AND COUNTERCLAIM PLAINTIFF,**

**and**

**ORDERS CONSTRUCTION COMPANY, INC.,  
and PIPE PLUS, INC.  
COUNTERCLAIM DEFENDANTS AND  
THIRD-PARTY DEFENDANTS**

**AGREED ORDER**

With Agreement of the Parties the Court enters the following Order:

The caption of this case will be realigned to reflect the respective position of the parties following the Mandate issued by the Supreme Court of Appeals of West Virginia. Accordingly, in all further pleadings, the Pocahontas County Public Service will be designated as the Plaintiff; WV Consultants, Inc., will be designated as Defendant and Third-Party Plaintiff and Orders Construction Company, Inc., and Pipe Plus, Inc., will be designated as Third-Party Defendants.

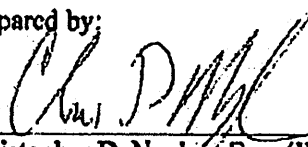
It is so **ORDERED**.

ENTERED this 13<sup>th</sup> day of September, 2023.

329-330

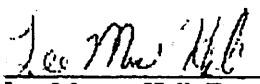
  
The Hon. Christopher Wilkes, Judge

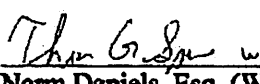
Prepared by:

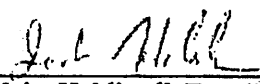
  
Christopher D. Negley, Esq. (WVSB #6086)  
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(304) 345-1400  
Counsel for Pocahontas County PSD

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, 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 13<sup>th</sup>  
DAY OF September 2013  
Cathy S. Gatson CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA  
ukdd

Agreed to by:

 *w/permission by CDN*  
Lee Murray Hall, Esq. (WVSB #6447)  
**JENKINS FENSTERMAKER, PLLC**  
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 *w/permission by CDN*  
Norm Daniels, Esq. (WVSB #937)  
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Counsel for Pipe Plus, Inc.

 *w/permission by CDN*  
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**KAY, CASTO & CHANEY, PLLC**  
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Counsel for Orders Construction Company, Inc.

Date: 9/13/13  
Certified copies sent to:  
 counsel of record  
 parties  
 other bus Ct  
(please indicate)  
By:  
 certified/1st class mail  
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 hand delivery  
 interdepartmental  
Other directives accomplished:  
ukdd  
Deputy Circuit Clerk

C. Negley  
M. Dunham  
L. Hall  
N. Daniels  
E.G. Spears  
J. Hoblitzell