

**STATE OF WEST VIRGINIA
SUPREME COURT OF APPEALS**

United Hospital Center, Inc., Plaintiff

vs) No. 11-C-124-1 (Harrison County)

**The Honorable Cheryl L. Romano,
Assessor of Harrison County, West Virginia,
and the Honorable Craig A. Griffith, State
Tax Commissioner**

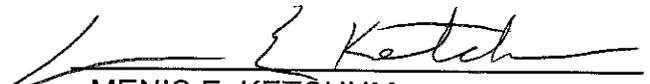
OPINION AND ORDER

The Plaintiff filed a motion with the Harrison County Circuit Court requesting that this case be transferred to the Business Court Division of the Circuit Courts. A hearing was held on the motion by the Circuit Court. Thereafter, the motion, all memoranda, and the Circuit Judge's finding of facts and recommendation were filed with the Clerk of the West Virginia Supreme Court. These documents were given to the Chief Justice for his consideration in ruling on the motion.

A case may be transferred to the Business Court Division only when there are claims "between business entities." The Plaintiff is a business entity. The Defendants are public officials and are not business entities. Therefore, I am denying the motion to refer this case to the Business Court Division of the Circuit Courts.

It is ordered that the motion to refer this case to the Business Court Division is denied and this case shall remain with Judge Marks in the Circuit Court of Harrison County.

DATED: DECEMBER 7, 2012



MENIS E. KETCHUM
Chief Justice