

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

**Casto Technical Services, Inc., Plaintiff**

**vs) No. 12-C-1954 (Kanawha County)**

**Omega Facility Solutions  
Services & Surety, LLC, Defendant**

**OPINION AND ORDER**

The Plaintiff in this civil action filed a motion with the Kanawha County Circuit Court requesting that this case be transferred to the Business Court Division pursuant to Trial Court Rule 29. Thereafter, the motion and all responsive memoranda were filed with the Clerk of the West Virginia Supreme Court. These documents were carefully reviewed by the Chief Justice for his consideration in ruling on the motion.

The principal claim in this action involves matters of significance to the transactions between two business entities and the case contains commercial issues in which specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy because of the need for specialized knowledge or expertise in the subject matter or familiarity with some specific law or legal principles that may be applicable. Accordingly, this case satisfies the requirements of Trial Court Rule 29.04. Therefore, I am granting the motion to refer this case to the Business Court Division.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of Trial Court Rule 29.

DATED:       DECEMBER 27, 2012



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**MENIS E. KETCHUM**  
Chief Justice