

ADMISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Martin N. Holley, as Member and
on behalf of WV Land Services, LLC,
Plaintiffs**

vs.) No. 13-C-60 (Kanawha County)

**Lydia M. Beirne, and Elk Meadow Energy, LLC,
Defendants**

The Honorable Carrie Webster, Judge of the Thirteenth Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Plaintiffs Martin N. Holley, as a Member of and on behalf of WV Land Services, LLC, by counsel, Stephen M. LaCagnin, Esq., Andrea Berg, Esq., and the law firm of Jackson Kelly PLLC, filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). The motion and the response stating no objection were carefully reviewed by the Chief Justice for his consideration in ruling on the motion.

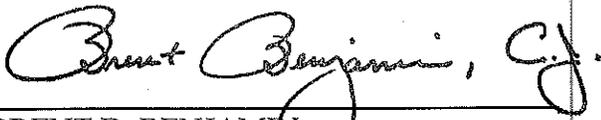
The principal claim in this action involves matters of significance to the transactions between business entities and the case contains commercial issues in which specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy because of the need for 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 TCR 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 C. 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 TCR 29.

It is further ORDERED that any members of the Business Court Division assigned to this matter by Judge Wilkes are authorized pursuant to Article VIII § 3 of the West Virginia Constitution and TCR 29.07(b) to preside over the above-styled case in Kanawha County.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; to the Honorable Carrie Webster; and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MAY 10, 2013


BRENT D. BENJAMIN
Chief Justice