

ADMISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Bobby J. Messer and his wife,
Amanda Messer, Plaintiffs**

**v. No. 06-C-182 (Wyoming County)
(Consolidated for Discovery only with
Civil Action No. 10-C-199)**

**Electric Line Company, Inc., et al.,
Defendants**

and

**Morlan Enterprises, Inc., a West Virginia
corporation, Third-Party Plaintiff**

v.

Paul Kerns, Third-Party Defendant

and

**Morlan Enterprises, Inc., a West Virginia
corporation, Third-Party Plaintiff**

v.

**Owners Insurance Company, a foreign
corporation, Third-Party Defendant**

The Honorable Warren R. McGraw, Judge of the Twenty-Seventh Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Owners Insurance Company, Third-Party Defendant in Civil Action No. 06-C-182 and Plaintiff in Civil Action No. 10-C-199, by its counsel Barbara J. Keefer and the law firm of Schuda & Associates, *pllc*, filed a motion to refer the above-referenced cases to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

Upon careful review and consideration of the motion and the reply memorandum,

the Chief Justice has determined, pursuant to TCR 29.06(a)(2), that the motion to refer is untimely in the absence of a finding by the circuit court that the litigation may be resolved more expeditiously by referral to the Business Court Division.

It is hereby ORDERED that the motion to refer these cases to the Business Court Division is REFUSED and that a copy of this ORDER be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division; to the Central Office of the Business Court Division; to the Honorable Warren R. McGraw; and to the Clerk of the Circuit Court of Wyoming County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MAY 15, 2013



BRENT D. BENJAMIN
Chief Justice