

IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA

**HARRISON COUNTY
DEVELOPMENT AUTHORITY,**

Plaintiff,

v

TETRICK & BARTLETT, PLLC,

Defendant.

**Case No.: 12-C-504-3
Judge: James H. Young, Jr.
Business Court Division**

TRIAL ORDER

Between May 14-16, 2014 and May 19-22, 2014, this matter came before the Honorable James H. Young, Jr. for jury trial. The Plaintiff appeared in person and by its representatives, Jeffrey D. Van Volkenburg, Esq., and James A. Varner, Sr., Esq., attorneys at law, and the Defendant appeared in person and by its representatives, John F. McCuskey, Esq., and Jennifer L. Tampoya, Esq., attorneys at law.

At the conclusion of the presentation of evidence, both by Plaintiff and Defendant, the jury was instructed upon the law and after closing arguments by Plaintiff and Defendant, the jury deliberated returning the following verdict:

1. Do you find from a preponderance of the evidence that the Defendant, Tetrick & Bartlett, PLLC, was guilty of negligence which proximately caused or contributed to Plaintiff, Harrison County Development Authority's losses in this case?

To which the jury responded in the affirmative.

2. Do you find from a preponderance of the evidence that the Defendant, Tetrick & Bartlett, PLLC, was guilty of negligently misrepresenting the financial statements of the Harrison County Development Authority which proximately caused or contributed to Plaintiff, Harrison County Development Authority's losses in this case?

To which the jury responded in the affirmative.

3. Do you find from a preponderance of the evidence that the Plaintiff, Harrison County Development Authority, was guilty of negligence which proximately contributed to any failure of Tetrick & Bartlett, PLLC to properly perform its audit responsibilities for the Harrison County Development Authority and report the truth thereto?

To which the jury responded in the affirmative.

4. Taking the combined total negligence to be 100%, what percentage of the total negligence do you apportion to the following individuals:

a)	Defendant, Tetrick & Bartlett, PLLC	51%
b)	Plaintiff, Harrison County Development Authority	49%
		Total: 100%

Additionally, the jury assessed total damages, without reduction for Plaintiff's fault, sustained by the Harrison County Development Authority which was proximately caused by Tetrick & Bartlett, PLLC's negligence in the amount of two hundred and twenty-one thousand dollars (\$221,000).

Based upon the foregoing verdict the Plaintiff, Harrison County Development Authority shall have judgment against the Defendant, Tetrick & Bartlett, PLLC, in the amount of one hundred and twelve thousand seven hundred and ten dollar (\$112,710.00) together with interest from May 22, 2014 at the rate of seven percent (7%) per annum.

All accordingly which is ORDERED and DECREED.

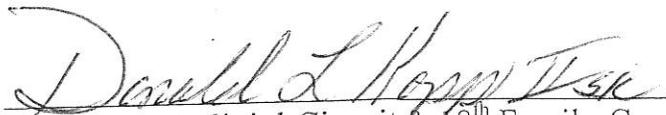
Enter this 5th day of August, 2014.

ORDER
ENTER: *James H. Young, Jr.*
HONORABLE JAMES H. YOUNG, JR.

STATE OF WEST VIRGINIA
COUNTY OF HARRISON, TO-WIT

I, Donald L. Kopp II, Clerk of the Fifteenth Judicial Circuit and the 18th
Family Court Circuit of Harrison County, West Virginia, hereby certify the
foregoing to be a true copy of the ORDER entered in the above styled action
on the 5 day of August, 2014.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix
the Seal of the Court this 6 day of August, 2014.


Fifteenth Judicial Circuit & 18th Family Court
Circuit Clerk
Harrison County, West Virginia