

IN THE CIRCUIT COURT OF BERKELEY COUNTY, WEST VIRGINIA
Business Court Division

2014 AUG 12 PM 2:20
VIRGINIA M. SIRE, CLERK
BERKELEY COUNTY

DEALERSHIP MANAGEMENT)
COMPANY, LLC., a West Virginia limited)
liability company,)

Plaintiff,)

v.)

AIR-ROW SHEET METAL CO., INC.,)
a West Virginia Corporation,)

Defendant,)

AIR-ROW SHEET METAL CO., INC.,)
A West Virginia Corporation,)

Third-Party Plaintiff,)

v.)

TOBY KARG SALES AGENCY, AIR-)
MANAGEMENT, AAON, INC., and AIA)
THOMAS DESIGN,)

Third-Party Defendants,)

And)

STATE AUTO PROPERTY AND)
CASUALTY INSURANCE COMPANY)

Intervention Plaintiff.)

CIVIL ACTION

NO.: 11-C-519

Presiding Judge : Christopher C. Wilkes

Resolution Judge: Thomas C. Evans, III

AGREED ORDER OF DISMISSAL

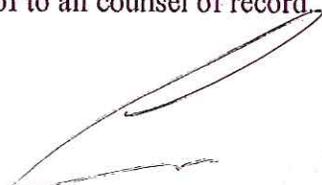
On the date of entry set forth below, the undersigned parties; the above captioned parties;
the Plaintiff, Dealership Management, LLC, by counsel, F. Samuel Byrer, Esquire; the
Defendant, Air-Row Sheet Metal Co., Inc.; the Third-Party Plaintiff, Air-Row Sheet Metal Co.,

Inc.; Third-Party Defendant Tobey-Karg Sales Agency, Inc.; Third-Party Defendant AAON, Inc.; Third-Party Defendant Air-Management, Inc.; Third-Party Defendant Thomas Design International; and the Intervention Plaintiff, State Auto Property and Casualty Insurance Company, by their respective counsel, came before the Court and tendered this agreed upon ORDER.

It appearing to the Court that the aforementioned parties are in agreement, it is HEREBY ORDERED that this case SHALL BE and IS NOW DISMISSED WITH PREJUDICE. The aforementioned parties having agreed to release any and all claims against each other, including but not limited to any and all claims, third-party claims or joinders for sole liability, contribution, indemnity or otherwise, it is HEREBY ORDERED that all claims, third-party claims, counterclaims and/or crossclaims SHALL BE and ARE NOW DISMISSED WITH PREJUDICE. Each party shall bear its own fees and costs.

The Clerk shall retire this matter from this Court's active docket, placing it among the cases ended and concluded. The Clerk shall enter this ORDER as of and for the date of entry set forth below, and the Clerk shall send attested copies hereof to all counsel of record.

August 14, 2014
Date of Entry



J.
Judge of the Circuit Court of
Berkeley County, West Virginia

ORDER agreed to by and on behalf of:

F. Samuel Byrer / ssm per attorney of 7/29/14
F. Samuel Byrer, Esquire
Law Office of F. Samuel Byrer, PLLC
P.O. Box 597
202 W. Liberty Street
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Attorneys for the Plaintiff, Dealership Management, LLC

A TRUE COPY
ATTEST

Virginia M. Sine
Clerk Circuit Court
By: Martha Melnick
Deputy Clerk

Trevor K. Taylor, Esquire

Taylor Law Office

34 Commerce Dr., Suite 201

Morgantown, WV 26501

Attorneys for Defendant / Third-Party Plaintiff, Air-Row Sheet Metal Co. Inc.

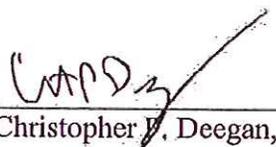
Tammy M. McWilliams, Esquire

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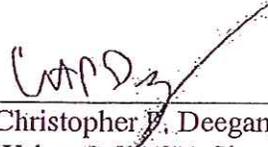
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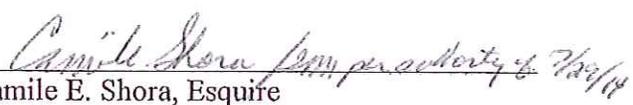
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