

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Richard C. Rashid, M.D.,
Plaintiff**

vs. **Civil Action No. 97-C-725 (Kanawha County)**

**Muhib S. Tarakji, M.D.,
Defendant**

The Honorable Carrie Webster, Judge of the Thirteenth Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Plaintiff Richard C. Rashid, M.D., by counsel, Scott S. Segal, and the Segal Law Firm, and Defendant Muhib S. Tarakji, M.D., by counsel, Arden J. Curry II, and the law firm of Pauley Curry, PLLC, have filed a joint motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Judge Webster concurs in the referral.

Chief Justice Robin Jean Davis has voluntarily recused herself from considering said motion.

Upon careful review and consideration of the motion and the concurrence in the request for referral by the trial court, Acting Chief Justice Margaret L. Workman has determined that the principal claims in the action are between business entities as required by Trial Court Rule 29.04(a)(1), that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by Trial Court Rule 29.04(a)(2), and the motion to refer should therefore be granted.

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: JANUARY 16, 2014



MARGARET L. WORKMAN
Acting Chief Justice