

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Boone Motor Sales, Inc.,
d/b/a Stephens Auto Center,
Plaintiff**

vs. Civil Action No. 14-C-98 (Boone County)

**Thornhill Group, Inc., d/b/a Thornhill Ford
Lincoln and Ford Motor Company,
Defendants**

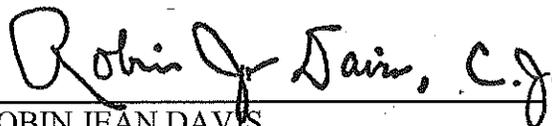
The Honorable William S. Thompson, Judge of the Twenty-Fifth Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Defendant Thornhill Group, Inc., by counsel, Andrew G. Fusco, Dylan C. Lewis and the law firm of Bowles Rice LLP, has filed a motion with the Boone County Circuit Court requesting that this case be referred to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). A response in opposition to the motion to refer was filed by Plaintiff Boone Motor Sales, Inc., d/b/a Stephens Auto Center, by counsel, William T. Forester and the Forester Law Offices. A response in support of the motion to refer was filed by Defendant Ford Motor Company, by counsel, William J. Hanna, Bradley J. Schmalzer, and the law firm of Flaherty Sensabaugh Bonasso PLLC, and Kurt D. Williams, Timothy S. Millman, and the law firm of Berkowitz Oliver Williams Shaw & Eisenbrandt LLP.

Upon careful review and consideration of the motion and the reply memoranda, the Chief Justice has determined that the principal claims in the action are between business entities as required by TCR 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 TCR 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 a copy of this ORDER be transmitted to the Central Office of the Business Court Division; to the Honorable William S. Thompson; and to the Clerk of the Circuit Court of Boone County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JULY 30, 2014


ROBIN JEAN DAVIS
Chief Justice