

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**University Healthcare Foundation, Inc.
f/k/a City Hospital Foundation, Inc.,
Petitioner**

vs. Civil Action No. 14-AA-4 (Berkeley County)

**Larry A. Hess, Assessor of Berkeley County, West
Virginia, and Mark W. Matkovich, State Tax Commissioner,
Respondents**

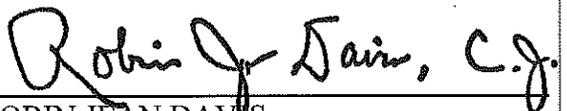
On July 21, 2014, the Honorable Christopher C. Wilkes, Chief Judge of the Twenty-Third Judicial Circuit, filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Judge Wilkes has advised the Chief Justice of the Supreme Court of Appeals that by letter dated July 7, 2014, petitioner's counsel informed that "[a]ll of the parties are in agreement that referral to the Business Court Division would be appropriate and desirable."

Upon careful review and consideration of the motion, 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 and to the Clerk of the Circuit Court of Berkeley 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