

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**John Skidmore Trucking, Inc.,
Petitioner**

vs. Civil Action No. 14-C-27 (Braxton County)

**Mark W. Matkovich, West
Virginia State Tax Commissioner,
Respondent**

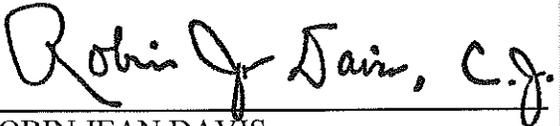
The Chief Justice of the Supreme Court of Appeals has been advised that Petitioner John Skidmore Trucking, Inc., by counsel, Michael E. Caryl, Catherine Wilkes Delligatti, and the law firm of Bowles Rice LLP, have filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Respondent Mark W. Matkovich, West Virginia State Tax Commissioner, by counsel, Patrick Morrissey, Attorney General, L. Wayne Williams, Assistant Attorney General, Office of the West Virginia Attorney General, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion and the reply memorandum, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, and governance 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; the Honorable Thomas H. Keadle, Senior Status Judge sitting by temporary assignment; and to the Clerk of the Circuit Court of Braxton County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: OCTOBER 29, 2014



ROBIN JEAN DAVIS
Chief Justice