

15-0189

IN THE CIRCUIT COURT OF MONROE COUNTY, WEST VIRGINIA

ALLEGHENY COUNTRY FARMS, INC.,

Plaintiff,

v.

Civil Action No. 06-C-44

ETHEL HUFFMAN CARPER,

Defendant.

FILED IN MONROE COUNTY
CIRCUIT COURT
2015 JAN 27 AM 11:47

AMENDED ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL ENFORCEMENT OF SETTLEMENT
AGREEMENT WITH DEFENDANT ETHEL HUFFMAN CARPER AND
DIMISSING OTHER HUFFMAN DEFENDANTS WITHOUT PREJUDICE

On a prior day came the Plaintiff, Allegheny Country Farms, Inc., by and through its counsel, Jeffrey A. Pritt and Pritt Law Firm, PLLC, and moved the Court to amend the prior Order entered herein to include a determination that it is a final and appealable judgment pursuant to Rule 54(b) of the West Virginia Rules of Civil Procedure. In conjunction therewith, the Plaintiff did also move the Court to dismiss the other Huffman Defendants from this action without prejudice as the boundary line issue which is now in controversy is a matter solely between the Plaintiff and the Defendant Ethel Huffman Carper due to partitioning of the tract of land involved herein since this action was originally filed.

Accordingly, it is the judgment of this Court that this issue has been resolved in its companion case, *Allegheny County Farms, Inc. v. Darris Huffman and Nuetulia Huffman*, 08-C-65, and that this matter is now moot.

WHEREFORE, it appearing proper to do so, it is hereby ORDERED and ADJUDGED as follows:

1. That Clifford Ray Huffman, Kyle J. Huffman, and Ralph D. Huffman are hereby dismissed from this civil action as parties hereto without prejudice;

2. That the Plaintiff's Motion to Compel Enforcement of Settlement Agreement with Defendant Ethel Huffman Carper is DENIED;

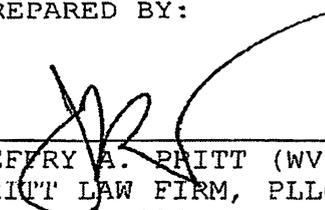
3. That this Amended Order is a final and appealable judgment pursuant to Rule 54(b) of the West Virginia Rules of Civil Procedure as it resolves all of the issues in controversy between the Plaintiff and the Defendant Ethel Huffman Carper, and the remaining Defendants herein are being dismissed from this civil action and are no longer parties hereto; and,

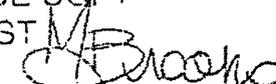
4. That the Circuit Clerk is directed to forward a certified copy of this Order to all counsel of record.

ENTERED this 27 day of Jan, 2015.


ROBERT A. TRONS, JUDGE
MONROE COUNTY CIRCUIT COURT

PREPARED BY:


JEFFERY A. PRITT (WVSB #5573)
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P.O. BOX 708
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A TRUE COPY
ATTEST 
Deputy Clerk Circuit Court
Monroe Co., W Va.