

14-0059 – *State of West Virginia ex rel. Thornhill Group, Inc. and Wally L. Thornhill v. Charles E. King, Jr., Judge of the Circuit Court of Kanawha County, and George A. Roberts*

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RORY L. PERRY II, CLERK
SUPREME COURT OF APPEALS
OF WEST VIRGINIA

Justice Ketchum, concurring:

Our venue statute; W.Va. Code §56-1-1 mandates that a civil suit shall be brought where the individual defendant resides, where a corporate defendant has a principal place of business or where the cause of action arose. The statute prevents forum shopping.

I would overrule all our cases which indicate in a breach of contract suit that the place of contract formation, breach and damages may be considered in determining venue. These cases misconstrue the statute and may allow the plaintiff a choice of forums not allowed by our venue statute.

I do agree with the result in this case.

Therefore, I concur.