

35692

IN THE CIRCUIT COURT OF WAYNE COUNTY, WEST VIRGINIA

ENTERED

MZRP, LLC, a West Virginia
limited liability company,

DEC 15 2009

Plaintiff,

CIVIL ORDER
BOOK 116 PAGE 961

v.

CIVIL ACTION NO. 07-C-073
DARRELL PRATT, JUDGE

LOGAN CANNEL COAL COMPANY,
JACKSON BUILDING & LOAN ASSOCIATION,

HUNTINGTON REALTY CORPORATION, and
HENRY COPLEY,

Defendants.

Final Order Denying Defendant, Huntington Realty's Motions To Amend; for

Relief From Judgment or for Reconsideration

On the 23 rd day of November, 2009, Defendant, Huntington Realty Corporation, by its Counsel James W. St Clair, moved the Court to Amend or Reconsider it's ruling contained in the Opinion Letter of April 1, 2009. The Court after hearing argument of Counsel and after review of the pleadings , for reasons stated on the Record, was of the opinion to deny all Defendant's Motions.

Therefore, it is ORDERED that the Opinion Letter of April 1, 2009 and the Order entered in connection therewith on September 9, 2009, be affirmed. It is further ORDERED that this Order shall constitute an appealable order to the West Virginia Supreme Court of Appeals, if Defendant elects to do so in accordance with the Rules of Court.

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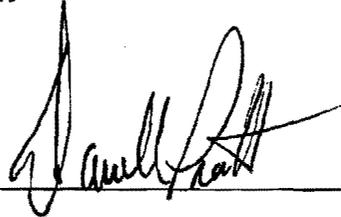
The Clerk is Directed to mail certified copies of this ORDER to Counsel of record

as follows:

James W. St Clair, Esq.
630 1/2 Seventh Avenue
Huntington, WV 25701

Leslie Dillon, Esq.
P.O. Box 1835,
Huntington, WV 25719

Enter



Judge

Prepared by: James W. St Clair (WV Bar No. 3547)
630 1/2 Seventh Ave., Huntington, WV 25701
Phone 304 525-5910



A COPY TESTE

Milton J. Ferguson II Clerk
By L. Adams Deputy

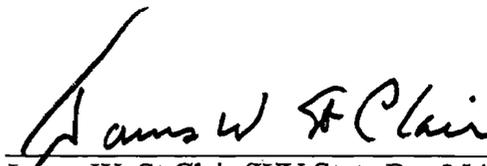
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CERTIFICATE OF SERVICE

The undersigned counsel for Huntington Realty Corporation certifies that a copy of the Supreme Court of Appeals of West Virginia Docketing Statement upon plaintiff's counsel of record by First-Class mail, postage prepaid, as follows:

Leslie Dillon
Campbell Woods
P. O. Box 1835
Huntington, West Virginia 25719-1835

Done this 14th day of April, 2010


James W. St Clair (WV State Bar 3547)
630 ½ Seventh Avenue
Huntington, West Virginia 25701
(304) 525-5910