

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**PNGI Charles Town Gaming, LLC,
Plaintiff**

vs. Civil Action No. 16-C-257 (Jefferson)

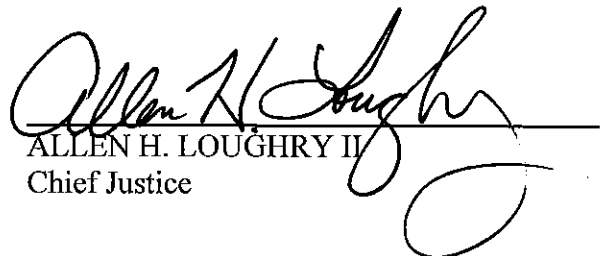
**York Building Products Co., Inc. and
York Building Aggregates, LLC,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff PNGI Charles Town Gaming, LLC, by counsel, Charles F. Printz Jr., J. Tyler Mayhew, and the law firm of Bowles Rice LLP, has filed a motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules. Defendants York Building Products Co., Inc. and York Building Aggregates, LLC, by counsel, Kenneth J. Barton Jr., Kelsey L. Swaim, and the law firm of Steptoe & Johnson PLLC, and Rees Griffiths, Hunter B. Schenck, and the CGA Law Firm, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion and the response thereto, the Chief Justice has determined that this dispute does not require specialized treatment to improve the expectation of a fair and reasonable resolution, and therefore, this case does not meet the criteria for referral under Rule 29.04(a)(2) of the West Virginia Trial Court Rules.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is DENIED and that a copy of this order be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division; to the Central Office of the Business Court Division; to the Honorable John C. Yoder, Judge of the Twenty-Third Judicial Circuit; and to the Clerk of the Circuit Court of Jefferson County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: FEBRUARY 7, 2017


ALLEN H. LOUGHRY II
Chief Justice