

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**SouthCo Development, LLC,
Plaintiff**

vs. Civil Action No. 16-C-575 (Monongalia County)


**Monongalia County Development
Authority, Larson Design Group, Inc.,
and Holly Childs, an individual,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff SouthCo Development, LLC, by counsel, Debra Tedeschi Varner, Michael A. Secret, and the law firm of McNeer, Highland, McMunn and Varner, L.C., 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 Monongalia County Development Authority, by counsel, David M. Jecklin, John F. Gianola, James A. Gianola, and the law firm of Gianola, Barnum, Bechtel & Jecklin, L.C.; Larson Design Group, Inc., by counsel, Paul M. Mannix and the law firm of Marcus & Shapira LLP; and Holly Childs, by counsel, David J. Straface, John R. Angotti, and the law firm of Angotti & Straface, L.C., filed separate reply memoranda requesting that the motion to refer be denied.

Upon careful review and consideration of the motion and the reply memoranda, 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 Phillip D. Gaujot, Judge of the Seventeenth Judicial Circuit; and to the Clerk of the Circuit Court of Monongalia County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: APRIL 4, 2017


ALLEN H. LOUGHRY II
Chief Justice