

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Thundering Herd Development, LLC,
a West Virginia limited liability company,
and THD Investors 7, LLC, a West
Virginia limited liability company,
Plaintiffs**

vs. Civil Action No. 03-C-0490 (Cabell County)

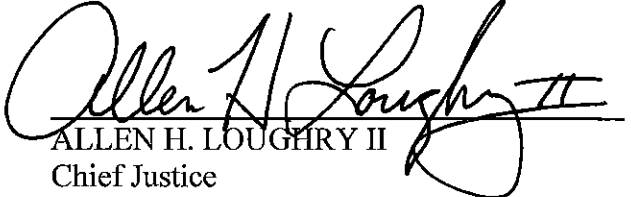
**S&ME, Inc., a corporation, and J.A. Street
& Associates, Inc., a corporation,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiffs Thundering Herd Development, LLC and THD Investors 7, LLC, by counsel, J.H. Mahaney and the law firm of Dinsmore & Shohl LLP, and Defendant J.A. Street & Associates, Inc., by counsel, James D. McQueen and the law firm of McQueen Davis, PLLC, and Gene W. Bailey II, Carl L. Fletcher, and the law firm of Hendrickson & Long, PLLC, have filed a joint motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules. The Honorable Gregory L. Howard Jr., Judge of the Sixth Judicial Circuit, has advised the Chief Justice that he supports the motion to refer this case to the Business Court Division.

Upon careful review and consideration of the motion, 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 Gregory L. Howard Jr., Judge of the Sixth Judicial Circuit; and to the Clerk of the Circuit Court of Cabell County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MAY 23, 2017


ALLEN H. LOUGHRY II
Chief Justice