

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Kirk Trucking Co., Inc.,  
Plaintiff**

**vs.) Civil Action No. 09-C-46 (Mingo County)**

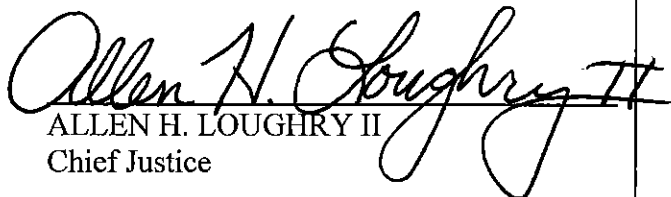
**Mack Trucks, Inc., a foreign corporation,  
and Worldwide Equipment, Inc., a foreign  
corporation; Glen Webb, as an agent and  
general manager of Worldwide Equipment, Inc.,  
and Rodney Hunt, as an agent and sales  
associate of Worldwide Equipment, Inc.,  
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Mack Trucks, Inc., Worldwide Equipment, Inc., Glen Webb, and Rodney Hunt, by counsel Mark E. Troy and the Troy Law Firm, PLLC, and Harry F. Bell Jr. and The Bell Law Firm, PLLC, have 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. Plaintiff Kirk Trucking Co., Inc., by counsel Greg K. Smith and the Law Office of Greg K. Smith, filed a response in opposition to the motion to refer. Defendants filed a reply.

Upon careful review and consideration of the foregoing, 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; the Honorable Miki Thompson, Judge of the Thirtieth Judicial Circuit; and to the Clerk of the Circuit Court of Mingo County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: SEPTEMBER 22, 2017

  
ALLEN H. LOUGHRY II  
Chief Justice