

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Norfolk Southern Railway Company,
Plaintiff**

vs.) Civil Action No. 19-C-80 (Raleigh County)

**Virginia Electric and Power Company, Inc.,
Old Dominion Electric Cooperative, and
Dynamic Energy, Inc.,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff Norfolk Southern Railway Company, by counsel, J.H. Mahaney, T. Matthew Lockhart, and the law firm of Dinsmore & Shohl 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 Virginia Electric and Power Company and Old Dominion Electric Cooperative, by counsel, David K. Hendrickson, H. Jerome Sparks, and the law firm of Hendrickson & Long, PLLC, 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 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 Michael D. Lorensen, Chair of the Business Court Division; to the Central Office of the Business Court Division; to the Honorable H. L. Kirkpatrick, Judge of the Tenth Judicial Circuit; and to the Clerk of the Circuit Court of Raleigh County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JULY 17, 2019



ELIZABETH D. WALKER
Chief Justice