

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Glade Springs Village Property Owners
Association, Inc., a West Virginia
non-profit corporation,
Plaintiff**

vs.) Civil Action No. 19-C-357 (Raleigh County)

**Emco Glade Springs Hospitality, LLC,
a West Virginia limited liability company;
Elmer Coppoolse, an individual; James
Terry Miller, an individual; R. Elaine Butler,
an individual; and GSR, LLC, a West
Virginia limited liability company,
Defendants**


The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff Glade Springs Village Property Owners Association, Inc., by counsel, Ramonda C. Marling, Mark A. Sadd, and the law firm of Lewis Glasser PLLC, 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 ("TCR"). Defendants Elmer Coppoolse, James Terry Miller, and B. Elaine Butler, by counsel, John Andrew "Jack" Smith and the law firm of Flaherty Sensabaugh Bonasso PLLC, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion to refer and the response thereto, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The mere fact that the action involves individuals does not, of itself, exclude the case from eligibility. The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Michael D. Lorensen, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Robert A. Burnside, Jr., 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: NOVEMBER 7, 2019


ELIZABETH D. WALKER
Chief Justice