

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Howard Liston,
Plaintiff**

vs.) Civil Action No. 16-C-279 (Monongalia County)

**Frontier West Virginia, Inc. and T.A. Chapman, Inc.,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendant Frontier West Virginia, Inc., by counsel, Charles C. Wise III and the law firm of Bowles Rice LLP, and Defendant T.A. Chapman, Inc., by counsel, J. Victor Flanagan, Jonathan J. Jacks, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, and Heather M. Noel, Sara E. Brown, and the law firm of MacCorkle Lavender 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 ("TCR").

Upon careful review and consideration of the motion to refer, 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 an individual 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 Susan B. Tucker, 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: FEBRUARY 24, 2020



TIM ARMSTEAD
Chief Justice