

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Charleston Area Medical Center, Inc.,
Plaintiff**

**vs. Civil Action No. 19-C-1259 (Kanawha County)
Supreme Court Docket No. 20-BCD-21**

**BSA LifeStructures, Inc., Mi-De-Con, Inc.,
Elco Mechanical Contractors, LLC, Carrier
Corporation, Mason & Barry, Inc, and
Engineering Economics, Inc.,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendant BSA LifeStructures, Inc., by counsel Kevin A. Nelson and Kelsey Haught Parsons, Dinsmore & Shohl LLP; Defendant Mi-De-Con, Inc., by counsel Matthew G. Breneman, Thomas Cocchi, and Adam Auchey, Zimmer Kunz, PLLC; Defendant Elco Mechanical Contractors, LLC, by counsel Michael P. Markins, Cipriani & Werner, PC; Defendant Carrier Corporation, by counsel Daniel R. Higginbotham and Sarah A. Meadows, Thomas Combs & Spann, PLLC; and Defendant Mason & Barry, Inc., by counsel Wendy E. Greve, Pullin, Fowler, Flanagan, Brown & Poe, PLLC, have filed a motion to refer the above-styled action 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, 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 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; to the Honorable Louis H. Bloom, Judge of the Thirteenth Judicial Circuit; and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: FEBRUARY 9, 2021



EVAN H. JENKINS
Chief Justice