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BC CIRCUIT CLERK, WV

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

FRASURE CREEK MINING, LLC,
a West Virginia limited liability company,

Petitioner and Counterclaim Defendant,

vs.

Civil Action No.: 20-C-142
Presiding: Judge Dent
Resolution: Judge Nines

POLCAHONTAS LAND, LLC,
a Virginia limited liability company,
POCAHONTAS SURFACE INTERESTS, LLC,
a Virginia limited liability company,

Respondents, Counterclaim Plaintiffs and
Third-Party Plaintiffs,

vs.

DEEP WATER RESOURCES, LLC,
a West Virginia limited liability company, and
NEW TRINITY COAL, INC.,

Third-Party Defendants.

ORDER DENYING JOINT MOTION TO STAY PROCEEDINGS AS MOOT

This matter came before the Court this _____ day of August 2021, upon the parties'

Joint Motion to Stay Proceedings filed on or about August 6, 2021. The instant motion sought a stay of this civil action until the pending motions to dismiss in this civil action have been ruled upon. The Court, finding that the pending motions in this case were disposed of by Orders entered by the Circuit Clerk on August 16, 2021, finds the instant motion is now moot. Accordingly, said Joint Motion to Stay Proceedings is hereby DENIED as MOOT.

1. The first part of the report is a summary of the work done during the year.

2. The second part is a detailed account of the work done during the year.

3. The third part is a summary of the work done during the year.

4. The fourth part is a summary of the work done during the year.

5. The fifth part is a summary of the work done during the year.

6. The sixth part is a summary of the work done during the year.

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8. The eighth part is a summary of the work done during the year.

9. The ninth part is a summary of the work done during the year.

10. The tenth part is a summary of the work done during the year.

11. The eleventh part is a summary of the work done during the year.

12. The twelfth part is a summary of the work done during the year.

13. The thirteenth part is a summary of the work done during the year.

14. The fourteenth part is a summary of the work done during the year.

15. The fifteenth part is a summary of the work done during the year.

16. The sixteenth part is a summary of the work done during the year.

17. The seventeenth part is a summary of the work done during the year.

18. The eighteenth part is a summary of the work done during the year.

19. The nineteenth part is a summary of the work done during the year.

20. The twentieth part is a summary of the work done during the year.

21. The twenty-first part is a summary of the work done during the year.

Wherefore, it is hereby ADJUDGED and ORDERED that the Joint Motion to Stay Proceedings is hereby DENIED as MOOT. The Clerk shall enter the foregoing and the Court directs the Circuit Clerk to distribute attested copies of this order to the following counsels of record, to any pro se parties of record, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

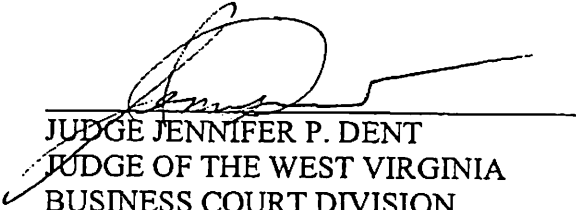
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August 18, 2021
date of entry


JUDGE JENNIFER P. DENT
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION