

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

FILED
2011 APR 23 AM 9:32
Kw

MOUNTAIN STATE PIPELINE & EXCAVATING, LLC,
Plaintiff/Counterclaim Defendant/Crossclaimant,

v.

Civil Case No.: 20-C-350

Presiding: Judge Young

Resolution: Judge Farrell

SMITH/PACKETT MED-COM, LLC,
a Virginia Limited Liability Company, and
Sole Manager-Member of Defendants SP WV, LLC,
Defendant/Counterclaimant; and

SP WV, LLC,
a Virginia Manager-Managed Limited Liability Company and
"Pass Through Entity" acting as the Sole Member of
Defendant WV IL-AL Investors, LLC
Defendant/Counterclaimant; and

WV IL-AL INVESTORS, LLC,
a Virginia Member-Managed Limited Liability Company,
Defendant/Counterclaimant; and

JARRETT CONSTRUCTION SERVICES, INC.,
a West Virginia Limited Liability Company,
as Construction Manager at Risk,
Defendants/Counterclaimant; and

CARTER BANK & TRUST,
Defendant; and

JARRETT CONSTRUCTION SERVICES, INC.,
Third-Party Plaintiff,

v.

ECS MID-ATLANTIC, LLC,
Third-Party Defendant/Crossclaim Defendant.

585

ORDER DENYING PLAINTIFF'S MOTION TO CONTINUE HEARING

On the 29th day of July, 2021, this matter came before the Court for a telephonic Status Hearing. Present at the hearing by telephone were Plaintiff, Counterclaim Defendant, and Crossclaimant, Mountain State Pipeline & Excavating, LLC ("MSPE"), by counsel Carl J. Roncaglione, Jr., Esquire; Defendant, Crossclaimant, and Third-Party Defendant, Jarrett Construction Services, Inc. ("JCSI"), by Counsel Robert H. Sweeney, Jr., Esquire; Defendants and Counterclaimant, Smith/Packett Med-Com, LLC SP WV, LLC and WV IL-AL Investors, LLC (Collectively the SP Defendants), by Counsel Robert H. Lockhart, Esquire; Third-Party Defendant and Crossclaim Defendant, ECS Mid-Atlantic, LLC ("ECS"), by Counsel Evan Aldridge, Esquire; Carter Bank & Trust, by Counsel Joseph A. Ford, Esquire; and non-party, Travelers Insurance Company, by Counsel Jennifer Mason, Esquire.

Prior to the hearing, Plaintiff, MSPE, filed a Motion to Continue the Status Hearing. The Court reviewed the Motion and heard argument of Counsel on said Motion and Finds and Orders as follows:

The Court does not find good cause to continue this hearing. Therefore, Plaintiff, MSPE's Motion to Continue is hereby **DENIED**.

All accordingly which is **ORDERED** and **DECREED**.

Enter this ¹⁹~~16th~~ day of August, 2021.

ORDER

ENTER: *James H. Young*
HONORABLE JAMES H. YOUNG, JR.

Date: 8/24/21
Certified copies sent to:
☒ counsel of record
☒ parties
☐ other (please indicate)
By: ☒ certified/1st class mail
☐ fax
☐ hand delivery
☐ interdepartmental
Other directives accomplished: Udd
Deputy Circuit Clerk

Bus Ct.
D. Fields
C. Roncaglione Jr.
C. Kinney Jr.
C. Brumley
R. Lockhart
J. Flanagan
R. Sweeney

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 24th
DAY OF August 2021
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA *Udd*