

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

FAYETTE COUNTY
CIRCUIT CLERK
DEBORAH B. HENDRICK

2021 SEP 13 A 7:45

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

Petitioner and Counterclaim Defendant,

v.

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

Respondents, Counterclaim Plaintiffs,
and Third-Party Plaintiffs,

v.

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

Third-Party Defendants.

Civil Action No. 20-C-142(B)
Presiding Judge: Jennifer P. Dent
Resolution Judge: Shawn D. Niles

JOINT MOTION TO EXTEND SCHEDULING ORDER AND OTHER DEADLINES

All parties to this action, by counsel, hereby jointly move to extend four
approaching deadlines in this action as follows:

Defendants' (and Third Party Defendants') Responsive Pleadings	September 10, 2021
Frasure Creek's Amended Complaint:	September 10, 2021
Service of Written Discovery:	September 15, 2021
Discovery Completion Date:	October 8, 2021

The parties agree that a limited extension of the foregoing deadlines will not
jeopardize the dispositive motion deadline (October 15, 2021) or the trial date (December 13,
2021). The parties submit that good cause exists to extend the discovery deadlines in lieu of this

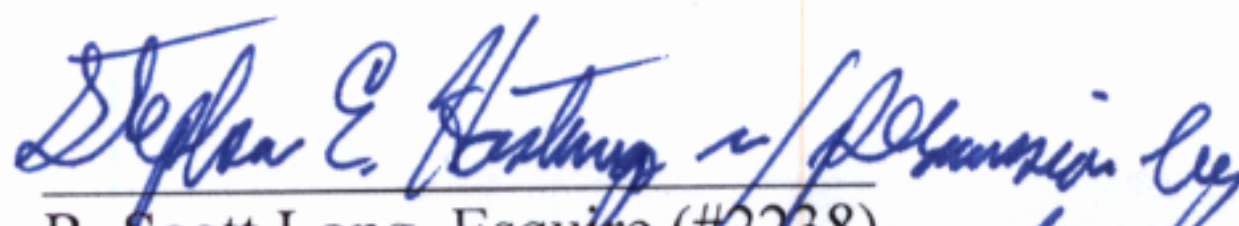
Court's recent rulings on the pending motions to dismiss on August 16 and recent scheduling issues for counsel.

Prepared and submitted by:



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Agreed to by:



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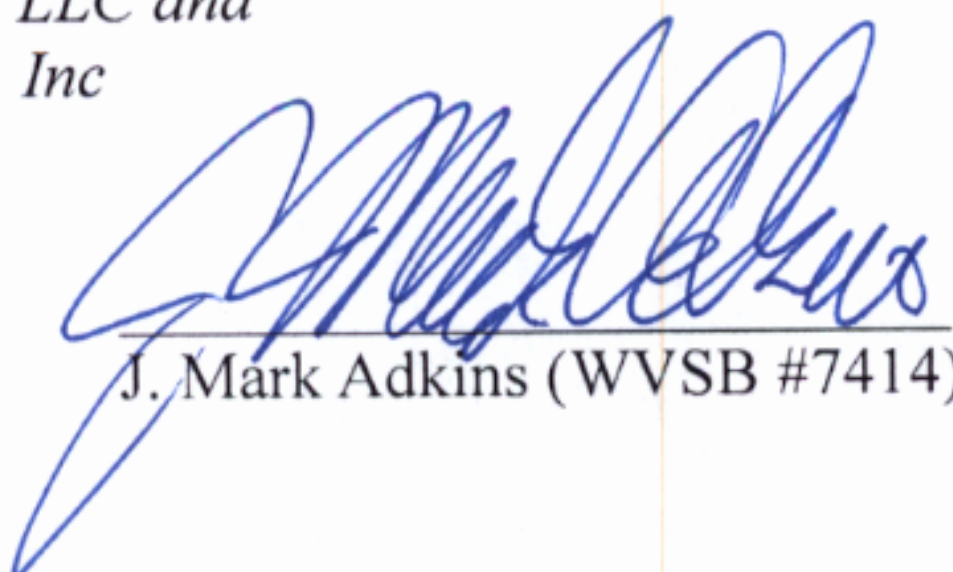
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CERTIFICATE OF SERVICE

I, J. Mark Adkins, hereby certify that the forgoing *Joint Motion to Extend Scheduling Order* was served on the foregoing on this 9th day of September, 2021, by e-mail:

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