

**IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**DOUGLAS E. GRIFFITH, JR.,
an individual, and
ILEASE & RENTALS, LLC,
A West Virginia Limited Liability Company,**

Plaintiffs,

v.

**MVB BANK, INC., a West Virginia
Corporation, and JARROD FURGASON,
an individual,**

Defendants.

CIVIL ACTION NO.: 20-C-231

Presiding: Judge Shawn Nines

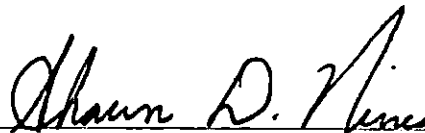
Resolution: Judge Christopher Wilkes

**AGREED ORDER ON MVB BANK, INC.'S MOTION FOR A
COMMISSION AUTHORIZING ISSUANCE OF FOREIGN
SUBPOENA DUCES TECUM ON TEXAS RESIDENTS**

The Court, upon consideration of MVB Bank Inc.'s Motion for Leave for a Commission Authorizing Issuance of Foreign Subpoena Duces Tecum on Texas Residents, and supporting exhibits, does hereby GRANT MVB Bank, Inc.'s motion. Accordingly, MVB, Inc. is authorized to issue foreign subpoenas on Opus Funding Partners, LLC; BankDirect Capital Finance, a division of Texas Capital Bank, N.A.; Colin Danley, a BankDirect employee; Stephen Gentry, a BankDirect employee; Larry Anders, an employee of Opus Funding Partners; and Greg Greene, an employee of Opus Funding Partners.

It is ORDERED that the motion for a Commission Authorizing Issuance of Foreign Subpoena Duces Tecum on Texas Residents is GRANTED.

ENTERED: 10-13-2021



Honorable Shawn Nines, Presiding Judge

Agreed to:

Robert A. Glasser

Brian A. Glasser (WV SB#6597)
Rebecca Pomeroy (WV SB #8800)

Bailey & Glasser LLP

209 Capitol Street

Charleston, WV 25301

Telephone: (304) 343-6555

Facsimile: (304) 342-1110

E-Mail: b.a.glasser@baileyglasser.com

E-Mail: rebecca.pomeroy@baileyglasser.com

Counsel for MVB Bank, Inc.

Holly S. Planinsic by RDP (#8800)
Robert C. Fitzsimmons w/ PERMISSION

Fitzsimmons Law Firm, PLLC

1609 Warwood Avenue

Wheeling, WV 26003

Telephone: (304) 277-1700

Facsimile: (304) 277-1705

E-Mail: holly@fitzsimmonslaw.com

Holly S. Planinsic

Herndon, Morton, Herndon & Yeager

83 Edgington Lane

Wheeling, WV 26003

Telephone: (304) 242-2300

Facsimile: (304) 243-0890

E-Mail: hplaninsic@herndon.com

Counsel for Plaintiffs

John J. Polak by RDP (#8800)
Mark A. Atkinson w/ PERMISSION

John J. Polak

Atkinson & Polak, PLLC

P. O. Box 549

Charleston, WV 25322

Telephone: (304) 346-5100

Facsimile: (304) 346-4678

E-Mail: jpolak@atkinsonpolak.com

E-Mail: m.atkinson@atkinsonpolak.com

Counsel for Jarrod Ferguson