

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on October 29, 2021 the following order was made and entered:

Emco Glade Springs Hospitality, LLC, et al,
Defendant Below, Petitioners

19-C-357

vs.) No. 21-0881

Glade Springs Village Property Owners Assoc., Inc., et al.,
Plaintiffs Below, Respondents

SCHEDULING ORDER

On October 26, 2021, the petitioners Emco Glade Springs Hospitality, LLC, et al, by counsel Arie M. Spitz, Clayton T. Harkins and Rebecca Trump Russell, Dinsmore & Shohl, LLP and Bryan N. Price and William "Bill" Aubel, Flaherty Sensabaugh Bonasso, PLLC, presented a timely and complete notice of appeal from an order from the Business Court Division in a case from the Circuit Court of Raleigh County (Civil Action No. 19-C-357) entered on September 27, 2021. The appeal has been placed on the docket as No. 21-0881 in accord with Rule 5(b) of the Rules of Appellate Procedure. All filings related to this appeal must refer to this Court's docket number and use the case caption set forth in this order. The Court acknowledges receipt of the \$200 filing fee.

Any motion to dismiss the appeal as interlocutory may be filed on or before November 17, 2021.

The petitioner has indicated that transcripts are not necessary for the Court to consider the assignments of error.

The parties to this appeal are encouraged to agree on the contents of the appendix. Pursuant to R.A.P. 7(e), if no agreement is reached, the petitioner must prepare a list of the parts of the record that the petitioner intends to include in the appendix, along with a list of any issues

intended to be presented that were not included in the notice of appeal and serve the list on the respondent on or before December 27, 2021.

The deadline for perfecting the appeal is January 27, 2022, with the filing of the brief and appendix. If the appeal is not perfected on or before January 27, 2022, the appeal will be dismissed. The petitioner may perfect the appeal at any time on or before the deadline for perfecting the appeal.

If the appeal is perfected, the respondent is directed to file a respondent's brief, or a summary response, on or before March 14, 2022, or within forty-five days of the date the appeal is perfected, if the appeal is perfected before January 27, 2022. Any reply brief deemed necessary shall be filed by the petitioner on April 4, 2022 or within twenty days of the respondent's brief.

SUMMARY of DEADLINES: Appeal No. 21-0881

Rule 7(e) List: December 27, 2021

Appeal Perfected: January 27, 2022

Respondent's Brief: March 14, 2022

Reply Brief: April 4, 2022

Once the deadline for filing a reply brief has passed, the appeal will be mature for consideration by the Court pursuant to R.A.P. 5(h). Counsel of record will be notified in writing of any decision in the case.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

