

20-C-136

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on November 9, 2021, the following order was made and entered:

State of West Virginia ex rel.
Employers Innovative Network, LLC,
Employers' Network Acquisition, LLC,
Vensure Topco, Inc., Vensure Employer
Services, Inc., Innovative Insurance
Solutions, LLC and Vensure HR, Inc.,
Petitioners

FILED
CIRCUIT CLERK
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MARION COUNTY
CLERK'S OFFICE

vs) No. 21-0883

The Honorable James H. Young, sitting as Judge
of the Business Court Division, Circuit Court
of Marion County, and American Bituminous
Power Partners, L.P.,
Respondents

SCHEDULING ORDER

On October 27, 2021, the petitioners Employers' Innovative Network, LLC, Employers' Innovative Network Acquisition, LLC, Vensure Topco, Inc., Vensure Employer Services, Inc., Innovative Insurance Solutions, LLC and Vensure HR, Inc., by counsel Russell D. Jessee and James E. McDaniel, Steptoe & Johnson PLLC, presented to the Court a petition praying for a writ of prohibition against the Honorable James H. Young, Jr., sitting as Judge of the Business Court Division, Circuit Court of Marion County, and American Bituminous Power Partners, L.P., together with an appendix record.

It is ordered that counsel for the respondent, American Bituminous Power Partners, L.P., file a response to the petition on or before December 3, 2021. Under Rule 16(d) of the Rules of Appellate Procedure, the presiding judicial officer of the lower tribunal is properly listed as a

party respondent, but the presiding judicial officer is a nominal party and is not directed to file a response in this matter.

Once the deadline for filing the response has passed, this matter will be mature for consideration by the Court pursuant to Rule 16(i) of the Appellate Rules. In due course thereafter, all parties will be notified in writing of any decision in the case.

A True Copy

Attest: /s/Edythe Nash Gaiser
Clerk of Court

