

In the Circuit Court of Berkeley County, West Virginia

**Dan Ryan Builders West Virginia,
LLC, a West Virginia limited liability
company,**
Plaintiff,

vs.)

**Overlay I, LLC, a Virginia limited
liability company,
Overlay I, LLC, a Virginia limited
liability company,**
Defendants

Case No. CC-02-2020-C-110

ORDER AMENDING SCHEDULING ORDER TO EXTEND MEDIATION DEADLINE

UPON CONSIDERATION of the request by the parties -- Defendant Overlay I, LLC and Plaintiff Dan Ryan Builders West Virginia LLC – to further amend the Scheduling Order entered on February 25, 2021 (as amended by subsequent orders, the “Scheduling Order”); and

IT APPEARING to the Court that the parties have been engaging and continue to engage in settlement discussions that may lead to a mediation session not being required and that the parties’ request is otherwise proper; it is hereby

ORDERED that the Scheduling Order be and hereby is further amended to reflect that the parties shall engage in a mediation session before The Honorable Shawn D. Nines on or before January 19, 2022.

It is so ORDERED.

Agreed:

/s/ William F. Gibson, II
William F. Gibson II, Esq. (WVSB #11255)
Kevin P. Kennedy, Esq. (Admitted *pro hac vice*)

and

/s/ Charles F. Printz, Jr.

Charles F. Printz, Jr., Esq. (WVSB #2985)

Shannon P. Combs, Esq. (WVSB #13601)

Counsel for Plaintiff

/s/ Gregory E. Kennedy

Gregory E. Kennedy, Esq. (WVSB #8730)

Counsel for Defendant

/s/ H. Charles Carl, III

Circuit Court Judge

23rd Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.