

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

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

**Petitioner and Counterclaim Defendant,**

**vs.**

**Civil Action No.: 20-C-142  
Presiding: Judge Dent  
Resolution: Judge Nines**

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

**Respondents, Counterclaim Plaintiffs and  
Third-Party Plaintiffs,**

**vs.**

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

**Third-Party Defendants.**

**ORDER MODIFYING SCHEDULING ORDER**

This matter came before the Court this 30<sup>th</sup> day of November 2021, upon the parties' Joint Motion to Modify Scheduling Order. The parties have jointly moved the Court to extend approaching deadlines in the instant civil action. Having considered the parties joint motion, and finding good cause shown for an extension, the Court hereby GRANTS the motion and EXTENDS certain deadlines as follows:

Discovery Completion Date: January 7, 2022

Mediation Deadline: January 21, 2022

Dispositive Motion Deadline: January 21, 2022

Deadline for Responses to Dispositive Motions: January 31, 2022

Deadline for Replies to Dispositive Motions: February 10, 2022

Hearing on Dispositive Motions (if needed): March 16, 2022 at 10:30 a.m. in Judge

Dent's Courtroom, Greenbrier County Courthouse

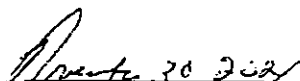
The Clerk shall enter the foregoing and the Court directs the Circuit Clerk to distribute attested copies of this order to the following counsels of record, to any pro se parties of record, to the Resolution Judge Shawn D. Nines at 47 Church Street, Third Floor, Philippi, West Virginia, 26416, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.


***Counsel for Plaintiff:***

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date of entry

  
JUDGE JENNIFER P. DENT  
JUDGE OF THE WEST VIRGINIA  
BUSINESS COURT DIVISION

**Attested Copies to:**

RSL / \_\_\_\_\_  
JTL / \_\_\_\_\_  
SDN / \_\_\_\_\_  
BCCO / \_\_\_\_\_  
Date: 12-1-21  
Initials: JH