

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

**DAN RYAN BUILDERS WEST VIRGINIA, LLC,**  
**a West Virginia limited liability company,**

Plaintiff,

vs.

**Civil Action No. 20-C-110**  
**Presiding Judge: H. Charles Carl, III**  
**Resolution Judge: Shawn D. Nines**

**OVERLAY I, LLC,**  
**A Virginia limited liability company,**

Defendant.

**BRIEFING ORDER**

IT APPEARING that Plaintiff, Dan Ryan Builders West Virginia, LLC, by counsel, has filed Renewed Motion for Summary Judgment, and Contingent Request for Hearing, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

That movant having heretofore filed a proposed Order, all non-moving parties shall file written responses and proposed orders within 15 days of entry of this Order and serve copies of the same on the moving party. The moving party shall thereafter have 10 days to file a rebuttal memorandum, if desired. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary.

Recognizing Berkeley County is an e-filing jurisdiction, the Court directs that a courtesy copy of all proposed orders and copies of motions and/or memoranda e-filed shall be sent to the following: [Business.Court@courtswv.gov](mailto:Business.Court@courtswv.gov), [Diane.Ruckman@courtswv.gov](mailto:Diane.Ruckman@courtswv.gov), [Jamie.Ketterman@courtswv.gov](mailto:Jamie.Ketterman@courtswv.gov), [Carol.Miller@courtswv.gov](mailto:Carol.Miller@courtswv.gov), and [Tessa.Bowers@courtswv.gov](mailto:Tessa.Bowers@courtswv.gov).

The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTERED this 11th day of January 2022.



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JUDGE H. CHARLES CARL, III  
West Virginia Business Court Division