

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

**TRITON CONSTRUCTIONS, INC.,
a West Virginia Corporation,
Plaintiff,**

v.

Civil Action No. 21-C-7

**GANNETT FLEMING, INC.,
a Delaware Corporation, and
MONONGAHELA CONSERVATION DISTRICT,
a subdivision of the State of West Virginia,**

Defendants.

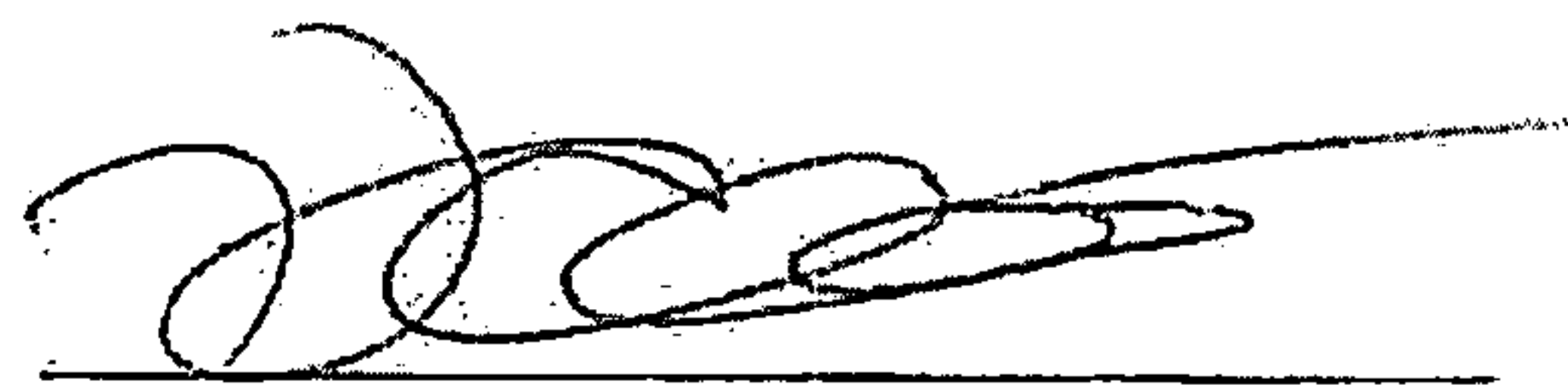
ORDER FROM JANUARY 7, 2022 MOTIONS HEARING

CAME THIS DAY the Plaintiff, Triton Construction, Inc., (hereinafter TCI), by and through counsel, Norman T. Daniels, Jr., and Thomas Sweeney, the Defendant Gannett Fleming, Inc., by its counsel, James A. Kirby III, and the Defendant the Monongahela Conservation District, (hereinafter MCD) by its counsel, Hilary M. Bright, who all appeared via Microsoft Teams, for a duly noticed hearing on the *Defendant Monongahela Conservation District's Motion to Dismiss*, *Defendant Gannett Fleming, Inc.'s Motion to Dismiss*, and Plaintiff's *Motion for Leave to File Second Amended Complaint*. As more thoroughly set forth upon the record, the parties presented their arguments to the Court. The Court does hereby take the arguments under advisement and will issue a subsequent order setting forth its ruling, along with its findings of facts and conclusions of law. The parties are ORDERED to provide any proposed Orders to the Court by January 12, 2022.

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.

IT IS SO ORDERED.


ENTERED this 12th day of January, 2022.


H. Charles Carl, III, Presiding Judge
West Virginia Business Court Division


4 copies
SD
1-12-22
HMB
NTDSr
JAK III
Business Ct.

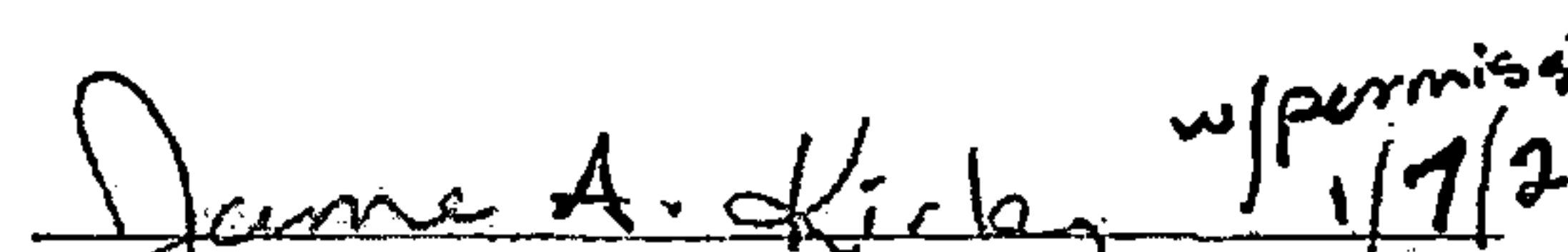
Entered: January 12, 2022
Lisa Leishman, Clerk
By: Sandy Murray, Deputy

Prepared by:


Hilary M. Bright, Esq., WV State Bar 12484
Counsel for Monongahela Conservation District

Agreed to by:

 w/permission 1/11/22
Norman T. Daniels, Jr., WV State Bar 937
Thomas S. Sweeney, WV State Bar 3672
Counsel for Triton Construction, Inc.

 w/permission 1/7/22
James A. Kirby, III, WV State Bar 9421
Counsel for Gannett Fleming, Inc