

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on January 6, 2022, the following order was made and entered **in vacation**:

Emco Glade Springs Hospitality, LLC, et al.,
Defendant Below, Petitioners

vs.) No. 21-0881

19-C-357

Glade Springs Village Property Owners Assoc., Inc., et al.,
Plaintiffs Below, Respondents

DISMISSAL ORDER

On November 1, 2021, the petitioners Emco Glade Springs Hospitality, LLC, et al., by counsel Arie M. Spitz, Clayton T. Harkins and Rebecca Trump Russell, Dinsmore & Shohl, LLP, and Bryan N. Price and William "Bill" Aubel, Flaherty Sensabaugh Bonasso, PLLC, filed a motion to hold the appeal in abeyance, for the reasons stated. The respondents Glade Springs Village Property Owners Assoc., Inc., et al., by counsel Mark Sadd and Ramonda C. Marling, Lewis Glasser PLLC, filed a response in opposition to the motion to hold the appeal in abeyance. Prior to a ruling on the motion, the petitioner GSR, LLC, by counsel Arie M. Spitz and Clayton T. Harkins, Dinsmore & Shohl, LLP, requested leave to withdraw the motion to hold in abeyance due to a change in circumstances.

On November 29, 2021, the respondents, by counsel, filed a motion to dismiss the appeal as interlocutory, for the reasons stated. The petitioner GSR, LLC, by counsel Arie M. Spitz, Clayton T. Harkins, and Rebecca Trump Russell, Dinsmore & Shohl, LLP, submitted a response in opposition to the motion to dismiss.

Upon review, the Court is of the opinion to, and does grant the motion to dismiss as interlocutory. The remaining motions are rendered moot. The Clerk is directed to remove the appeal from the active docket of the Court.

Chief Justice Hutchison disqualified.

A True Copy

Attest: /s/ Edythe Nash Gaiser
Clerk of Court

