

FILED

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

FILED JAN 19 PM 3:59
CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

THE THRASHER GROUP, INC.,

Plaintiff,

v.

Civil Action No. 20-C-772

Presiding Judge: Joseph K. Reeder

Resolution Judge: Paul T. Farrell

**BEAR CONTRACTING, LLC, and
GREAT AMERICAN INSURANCE
COMPANY,**

Defendants.

ORDER DISMISSING MOTION AS MOOT

This matter came before the Court this 19th day of January 2023, upon Defendant Bear Contracting LLC's Motion for Summary Judgment Regarding Plaintiff's Blue Horizon Project Claims filed October 17, 2022.

On or about December 14, 2022, Defendant filed Notice of Withdrawal of Defendant Bear Contracting LLC's Motion for Summary Judgment Regarding Plaintiff's Blue Horizon Project Claims, stating that it withdraws the instant motion due to a condition settlement agreement the parties have entered into regarding the Blue Horizon Project at the center of the instant motion.

Therefore, the Court finding the instant Defendant Bear Contracting LLC's Motion for Summary Judgment Regarding Plaintiff's Blue Horizon Project Claims to be moot, the Court hereby ADJUDGES and ORDERS that Defendant Bear Contracting LLC's Motion for Summary Judgment Regarding Plaintiff's Blue Horizon Project Claims is hereby DISMISSED WITHOUT PREJUDICE as moot, and the motion is disposed of.

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

ENTERED this 11 day of January 2023.

JUDGE JOSEPH K. REEDER
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION

Date: 1/19/23
Certified copies sent to:
☒ counsel of record
☒ parties
☒ other Bus. Ct. J. Priggo
(please indicate)
By: C. Brumley
☒ certified/1st class mail
☐ fax
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Other directives accomplished:
[Signature]
Deputy Circuit Clerk