

**In the Circuit Court of Berkeley County, West Virginia**

**Dan Ryan Builders West Virginia,  
LLC, a West Virginia limited liability  
company,**  
Plaintiff,

v.

Case No. CC-02-2020-C-110  
Judge Christopher C. Wilkes

**Overlay I, LLC, a Virginia limited  
liability company,  
Overlay I, LLC, a Virginia limited  
liability company,**  
Defendants

**Order Granting Joint Motion to Cancel Status Conference**

CAME the Court, this 24<sup>th</sup> day of February, 2023, upon the “Joint Motion to Cancel Status Conference” filed by Defendant Overlay I, LLC and Plaintiff Dan Ryan Builders West Virginia, LLC, requesting that the Court cancel the Status Conference currently scheduled in this matter for February 27, 2023, at 10:00 a.m.

IT APPEARING that the parties’ request is proper and that the relief sought in said Motion should be granted, it is hereby ORDERED AND ADJUDGED that said “Joint Motion to Cancel Status Conference” is hereby GRANTED. It is further hereby ORDERED AND ADJUDGED that the Status Conference currently scheduled in this matter for February 27, 2023, at 10:00 a.m. is hereby VACATED AND CANCELLED.

It is further hereby ORDERED AND ADJUDGED that the parties shall file a joint dismissal order with the Court upon completion of the first bulk finished lot closing and within the time period specified in the parties’ agreement or shall, within twenty-one (21) calendar days from the date of the entry of this Order, advise the Court whether this action should resume or be further stayed.

It is SO ORDERED.

Enter: February 24, 2023

**/s/ Christopher C. Wilkes**

Circuit Court Judge

23rd Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit [www.courtswv.gov/e-file/](http://www.courtswv.gov/e-file/) for more details.