

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA) F11 2:13
BUSINESS COURT DIVISION

CHARLESTON AREA MEDICAL CENTER, INC.,
Plaintiff,

vs.

Civil Action No.: 22-C-359
Presiding: Judge Nines
Resolution: Judge Akers

WEST VIRGINIA UNITED HEALTH SYSTEM,
INC., d/b/a WEST VIRGINIA UNIVERSITY
HEALTH SYSTEM, and WVU HEALTH SYSTEM;
THOMAS HEALTH SYSTEM, INC. d/b/a
THOMAS HEALTH; HERBERT J. THOMAS
MEMORIAL HOSPITAL;
CHARLESTON HOSPITAL, INC. d/b/a SAINT
FRANCIS HOSPITAL; THS PHYSICIAN
PARTNERS, INC.; PULMONARY ASSOCIATES
OF CHARLESTON PLLC, d/b/a CRITICAL
CARE, PLLC, TRAKE, LLC; PHILLIP COX, D.O.,
an individual; KEVIN EGGLESTON, M.D., an
individual; ROBBY KEITH, M.D., an individual;
JAMES D. PERRY, III, D.O., an individual;
TAMEJIRO "TOM" TAKUBO, D.O., an individual;
RYAN WADDELL, D.O., an individual; and W.
ALEX WADE, M.D., an individual,
Defendants.

BRIEFING ORDER

IT APPEARING that Plaintiff, Charleston Area Medical Center, Inc., has filed Plaintiff
Charleston Area Medical Center, Inc.'s Omnibus Motion to Compel and Incorporated
Memorandum of Law in Support¹, it is ORDERED pursuant to Rule 22 of the West Virginia
Trial Court Rules as follows:

That movant will provide a proposed order (if not already done) and serve a copy upon
all non-moving parties. Non-moving parties shall file written responses and proposed orders

¹ The Court notes the parties were ordered to meet and confer with regard to this motion to compel and to update the
Court concerning the status of the issues raised. By letter received by the Court, counsel has indicated that said
motion was not fully resolved and a briefing schedule was requested.

SCANNED

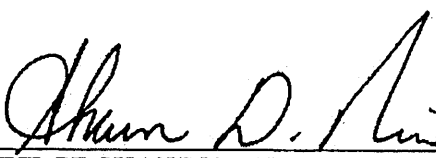
within 15 days of entry of this order and serve copies of the same on the moving party. The moving party shall thereafter have 10 days to file a rebuttal memorandum, if desired. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary.

All original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Andrea.Chambers@courtswv.gov with a courtesy copy to Business.Court@courtswv.gov and Tessa.Bowers@courtswv.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court.

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

ENTERED this 10th day of March 2023.

Date: 3/13/23
Certified copies sent to:
☒ counsel of record
☐ parties
☐ other Bus. Ct.
(please indicate)
By:
☒ Certified/1st class mail
☐ fax
☐ hand delivery
☐ interdepartmental
Other directives accomplished:
A. Lovensides
Deputy Circuit Clerk


JUDGE SHAWN D. NINES
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 13th
DAY OF March 2023
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA