

FILED

2023 MAR 20 AM 11:30  
DANNY S. CRISMAN, CLERK  
KANAWHA COUNTY CIRCUIT COURT  
RC

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

**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,**

**And**

**BEAR CONTRACTING, LLC**

**Counterclaimant,**

**v.**

**THE THRASHER GROUP, INC.**

**Counterclaim Defendant.**

**ORDER FOLLOWING PRETRIAL CONFERENCE**

On March 10, 2023, the Court conducted a final pretrial conference in this matter. During the conference, counsel for The Thrasher Group, Inc. ("Thrasher") indicated that it intended to move the Court to amend or alter its orders on the Parties' cross motions for summary judgment, which the Court entered on March 8, 2023. In addition, Thrasher indicated that it would be moving, in the alternative, for the Court to certify the interlocutory rulings for immediate appeal pursuant to West Virginia Rule of Civil Procedure 54(b). For these reasons, Thrasher contended that a stay of the trial on the remaining issues in this matter would be appropriate to preserve judicial resources and avoid a second trial should its motion and/or appeal be successful. Counsel

for Bear Contracting, LLC ("Bear") concurred that a stay of the trial on the remaining claims would be appropriate based on the circumstances.

For these reasons, in addition to those stated on the record, the Court **ORDERS** that the trial in this matter is **STAYED**. Further, the Court **SETS** the following briefing schedule for Thrasher's motion to amend or alter the Court's ruling on the Parties' cross motions for summary judgment, or, in the alternative, to certify the orders for immediate appeal pursuant to Rule 54(b):

1. Thrasher shall file its motion no later than March 17, 2023;
2. Bear shall file its response no later than March 24, 2023; and
3. Thrasher shall file its reply, if any, no later than March 29, 2023.

It is so **ORDERED**.

The Circuit Clerk is directed to forward a copy of this Order to all counsel of record; the Presiding Judge Joseph K. Reeder; the Resolution Judge Paul T. Farrell; and to the Business Court Division Central Office, Berkeley County Judicial Center, Suite 2100, 380 West South Street, Martinsburg, West Virginia 25401.

ENTERED 3/20/23

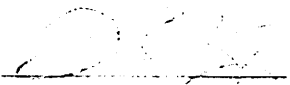
Judge Joseph K. Reeder

3/21/2023  
Copies sent to:  
☒ counsel of record  
☐ parties  
☐ other  
(please indicate)  
By ☒ certified first class mail  
☐ fax  
☐ hand delivery  
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Other directives accomplished:  
Clerk's Office

Bus Ct  
L. Marsh  
C. Brumley  
J. Pappas  
A. Ennis

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 THIS 21  
DAY OF March 2023  
Cathy S. Gatson CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA  
L. Allen

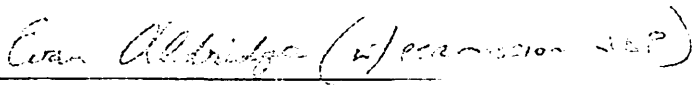
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**Agreed to by:**

  
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And Great American Insurance Company*