

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

TRI-STATE AMBULANCE, INC.,

Plaintiff,

vs.

**Civil Action No.: 20-C-155
Presiding: Judge Lorensen**

**WHEELING HOSPITAL, INC.,
WEST VIRGINIA UNIVERSITY
HOSPITALS, INC., HEALTHTEAM
CRITICAL CARE TRANSPORT, LLC,
and HEALTHNET AEROMEDICAL
SERVICES, INC.**

Defendants.

**DAY ORDER FROM MARCH 31, 2023 HEARING AND ORDER STAYING
CASE UNTIL JULY 7, 2023**

CAME the parties, in a status conference on March 31, 2023, commencing at 10:30 a.m.

Robert J. D'Anniballe, Jr., Esq. appeared for Plaintiff Tri-State Ambulance, Inc., no counsel was present for Defendant West Virginia University Hospitals, Inc., Michael C. Cardi, Esq. appeared for Defendants HealthTeam Critical Care Transport, LLC and Healthnet Aeromedical Services, Inc., and Paul N. Garinger, Esq. appeared for Defendant Wheeling Hospital, Inc.

1. While the Court waited for counsel representing Defendant West Virginia University Hospitals, Inc. to join the conference, the parties updated the undersigned as to the status of the parties' agreed alternative process to effectuate a resolution of this civil action, wherein the parties would engage an expert of the valuation of assets at issue.

2. Counsel for Plaintiff averred significant progress with their agreed resolution track, wherein the parties have agreed on a valuation firm and engaged said firm, but stated it was a busy time due to tax season, and counsel requested an additional stay of 90 days to continue this resolution track. Other counsels present concurred.
3. Although counsel for Defendant West Virginia University Hospitals, Inc. was not present, the Court, considering all counsel present averred their agreement to this alternative track for resolution of this matter, and to a stay of this matter, and considering counsel for Defendant Wheeling Hospital, Inc. proffered that counsel for Defendant West Virginia University Hospitals, Inc. was previously on board with this track, agreed to stay this matter for a period of ninety days, or longer if needed.
4. The undersigned set this matter for status conference on July 7, 2023 at 10:00 a.m. via Microsoft Teams, at which time the parties will report as to the effectiveness of the alternative resolution route and advise the undersigned if more time is needed or if a scheduling order is needed.
5. Therefore, by agreement of the parties, this civil action shall be STAYED until such time as the Court lifts it or until the July 7, 2023 status hearing.
6. Counsel for Defendant Wheeling Hospital, Inc. averred that he will call counsel for Defendant West Virginia University Hospitals, Inc. to apprise counsel of the continuation of this resolution track.
7. Counsel proffered they had no other matters to take up today.
8. The hearing was then adjourned.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTER: March 31, 2023



JUDGE MICHAEL D. LORENSEN
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION