

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

**GLADE SPRINGS VILLAGE PROPERTY
OWNERS ASSOCIATION, INC.,
a West Virginia non-profit corporation,**

Plaintiff,

v.

**Civil Action No. 21-C-129
Presiding Judge: Joseph K. Reeder
Resolution Judge: Michael D. Lorensen**

**COOPER LAND DEVELOPMENT, INC.
an Arkansas corporation, and
JUSTICE HOLDINGS, LLC,**

Defendants.

ORDER GRANTING MOTION TO MODIFY SCHEDULING ORDER

This matter came before the Court on March 29, 2023 on Plaintiff Glade Springs Village Owners Association, Inc.'s ("GSVPOA") *Motion to Modify the Scheduling Order* (the "Motion") wherein counsel for each party was present at a Microsoft Teams video conference hearing. GSVPOA was present by counsel Mark A. Sadd and Ramonda C. Marling. Defendant Cooper Land Development, Inc. ("Cooper Land") was present by counsel Andrew Cooke and David Griffith and Defendant Justice Holdings, LLC ("Justice Holdings") was present by counsel Shawn George. Defendants Cooper Land and Justice Holdings previously filed responses in opposition to the *Motion*. As such, the *Motion* has been fully briefed and is now ripe for decision by this Court.

For good cause shown, the *Motion* is granted as set forth below:

- the discovery deadline is extended to May 30, 2023 for the sole purpose of conducting the depositions of Kent Burger, Neff Basore, Cooper Land's 30(b) designee and Seth Wilson;
- the mediation deadline is extended generally;

- the dispositive motion deadline as matters that implicate potential application of the Uniform Common Interest Ownership Act (“UCIOA”) to Glade Springs Village (“GSV”) is continued generally until after a decision is issued in the matter of *Justice Holdings LLC v. Glade Springs Village Property Owners Association, Inc.*, No. 22-0002 (Raleigh County Civil Action No. 19-C-481)(the “Justice Appeal”);
- dispositive motions that do not implicate potential application of the UCIOA to GSV shall be filed by **June 8, 2023** along with a proposed order.¹ Non-moving parties shall file written responses and proposed orders by **June 15, 2023** and any rebuttal memorandum by the moving party shall be filed by **June 20, 2023**. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary;
- the *Briefing Order* dated March 15, 2023 as to Justice Holdings, LLC’s *Motion for Summary Judgment That Justice Holdings was A Holder in Due Course of the Working Capital Revolving Note* shall remain in full force and effect; will continue under the current *Briefing Order*;
- the deadline for the filing of motions *in limine* set forth in the *Agreed Amended Scheduling Order* is vacated pending further order of this Court;
- the pre-trial conference scheduled for June 1, 2023 is cancelled pending further order of this Court (including the deadline to exchange pre-trial conference memoranda, schedule of exhibits and jury instructions); and
- the trial scheduled to commence on June 12, 2023 is cancelled pending further order of this Court.

¹ These deadlines apply to *Cooper Land Development, Inc.’s Motion for Summary Judgment on Statute of Limitations*.

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.

4/17/23
Date of entry

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

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