

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

GLADE SPRINGS VILLAGE PROPERTY
OWNERS ASSOCIATION, INC.,

Plaintiff,

v.

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

COOPER LAND DEVELOPMENT, INC., and
JUSTICE HOLDINGS, LLC,

Defendants.

**ORDER DENYING GSVPOA'S MOTION FOR LEAVE TO FILE SURREPLY
MEMORANDUM IN OPPOSITION TO COOPER LAND DEVELOPMENT, INC.'S
MOTION FOR SUMMARY JUDGMENT ON STATUTE OF LIMITATIONS**

On June 23, 2023, Plaintiff Glade Springs Village Property Owners Association (“GSVPOA”) filed *Plaintiff, Glade Springs Village Property Owners Association, Inc.’s Motion For Leave To File Surreply Memorandum in Opposition To Cooper Land Development, Inc.’s Motion For Summary Judgment on Statute of Limitations* (the “Surreply Motion”). Defendant Cooper Land Development, Inc. (“CLD”) filed a memorandum opposing the Surreply Motion later the same day.

The Court, having considered the written submissions of the parties in support of and opposition to the Surreply Motion, finds that the parties have had sufficient time to conduct discovery on the applicable statutes of limitations. The parties agreed and represented to the Court at a status conference on June 13, 2023 that West Virginia’s Uniform Common Interest Ownership Act (“UCIOA”) did not affect CLD’s pending Motion for Summary Judgment on Statute of Limitations even though they anticipated a ruling from the Supreme Court of Appeals of West Virginia on the application of UCIOA to Glade Springs Village on or before it adjourned *sine die* June 15, 2023. The Court deems the briefing submitted to date in support of and

opposition to CLD's Motion for Summary Judgment on Statute of Limitations to be sufficient and, for those reasons, the Surreply Motion is DENIED.

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

ENTER this 27th day of June, 2023.

/s/ Joseph K. Reeder
Circuit Court Judge
10th Judicial Circuit

Prepared and submitted by:

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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/ for more details.