

FILED

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

CHARLESTON AREA MEDICAL CENTER, INC.,
Plaintiff,

CATHY S. CHAMBERLAIN
KANAWHA COUNTY CIRCUIT COURT

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.

ORDER GRANTING MOTION FOR LEAVE TO FILE UNDER SEAL

On or about June 21, 2023, Plaintiff, Charleston Area Medical Center, Inc., filed its
Motion for Leave to File Under Seal Plaintiff Charleston Area Medical Center, Inc.'s Motion for
Leave to Amend Complaint, and Attachments Thereto.

In this Motion for Leave to File Under Seal, Plaintiff seeks leave to file under seal an
unredacted copy of its proposed Amended Complaint, which is attached to the Motion for Leave
to File Under Seal as Exhibit 1-A, and Exhibit Nos. 1-9, 19,22, and 24-32 to CAMC's proposed
Amended Complaint.

SCANNED

312-314

Plaintiff also seeks leave to file on the public docket a redacted copy of its proposed Amended Complaint, which is attached to its Motion for Leave to File Under Seal as Exhibit 1-B, along with non-confidential exhibits, Exhibit Nos. 10-18, 23, and 33-34 to the proposed Amended Complaint.

Having considered the Motion for Leave to File Under Seal and the relevant law, the Court hereby finds that good cause has been shown, and that Plaintiff's proposed Amended Complaint and Exhibit Nos. 1-9, 19-22, and 24-32 to CAMC's proposed Amended Complaint contain information that is subject to confidentiality provisions and/or that is sensitive and confidential in nature.

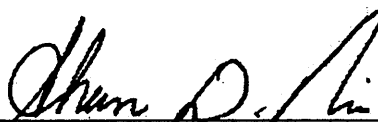
Therefore, the Court hereby ORDERS that Plaintiff's Motion for Leave to File Under Seal is hereby GRANTED. It is hereby ADJUDGED and ORDERED that Plaintiff is granted leave to file Exhibit A to Plaintiff's Motion for Leave to Amend Complaint, the unredacted copy of CAMC's proposed Amended Complaint, and Exhibit Nos 1-9, 19-22, and 24-32 to CAMC's proposed Amended Complaint under seal. Further, it is hereby ADJUDGED and ORDERED that Plaintiff is granted leave to publicly file CAMC's Motion for Leave to Amend Complaint, the redacted copy of the proposed Amended Complaint attached as Exhibit B to Plaintiff's Motion for Leave to Amend Complaint, and Exhibit Nos. 10-18, 23, and 33-34 to the proposed Amended Complaint.

The Court is contemporaneously issuing a Briefing Order setting forth response and reply deadlines as to Plaintiff's Motion for Leave Amend Complaint.

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 ____ day of June 2023.

06-29-2023



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

6/29/23
Copies of record
parties
other (please indicate)
J. Hurley
E. McLaughlin
A. Cook
K. Miller
Business Court
C. Watson
Deputy Circuit Clerk

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 29
DAY OF June 2023
C. Gatson
CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA