

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

CHARLESTON AREA MEDICAL CENTER, INC.,
Plaintiff,

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.

BRIEFING ORDER

IT APPEARING that Defendants, 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 Association d/b/a Thomas Memorial Hospital, Charleston Hospital d/b/a Saint Francis Hospital, THS Physician Partners, Inc., Trake, LLC, Pulmonary Associates of Charleston PLLC d/b/a Critical Care, PLLC, Phillip Cox, D.O., Kevin Eggleston, M.D., Robby Keith, M.D., James D. Perry, III, D.O., Tamejiro "Tom" Takubo, D.O., Ryan Waddell, D.O., and W. Alex Wade, M.D., have filed Defendants' Joint Motion for

Protective Order, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

That movant will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Non-moving parties shall file written responses and proposed orders within 15 days of entry of this order and serve copies of the same on the moving party. The moving party shall thereafter have 10 days to file a rebuttal memorandum, if desired. Thereafter, the Court will rule upon the motion on the pleadings and record or schedule a hearing if the Court deems it necessary.

All original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Andrea.Chambers@courtswv.gov with a courtesy copy to Business.Court@courtswv.gov and Tessa.Bowers@courtswv.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court.

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 16th day of August 2023.

8/16/2023
Date: _____
Certified copies sent to:
☒ Counsel of record
☐ Parties
☐ Other (please indicate) _____
By: _____
☒ Certified/first class mail
☐ Fast
☐ Hand delivery
☐ Independent/notarized
Other direction accomplished: _____
By Circuit Clerk

K. Goldman
K. Miller
Bus Co
A. Cooke
D. Gurney, Jr.

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

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 16
DAY OF Aug 2023
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
L. All