## IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA 7 AM 10: 15 BUSINESS COURT DIVISION

CHARLESTON AREA MEDICAL CENTER, INC.,

CATHY S. GATSON, CLERK
CIVIL ACTION NO. 22-C-359

PRESIDING JUDGE NINES
RESOLUTION JUDGE AKERS

PLAINTIFF,

V.

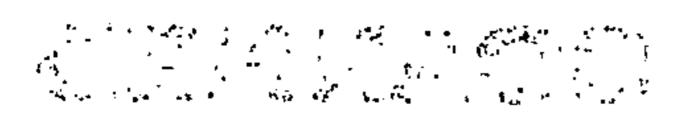
WEST VIRGINIA UNITED HEALTH SYSTEM, INC., d/b/a WEST VIRGINIA UNIVERSITY HEALTH SYSTEM, and WVU HEALTH SYSTEM; THOMAS HEALTH SYSTEM, INC., d/b/a THOMAS HEALTH; HERBERT J. THOMAS MEMORIAL HOSPITAL ASSOCIATION, d/b/a THOMAS MEMORIAL HOSPITAL: CHARLESTON HOSPITAL, INC., d/b/a SAINT FRANCIS HOSPITAL; THS 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**

This matter came before the Court on this 1st day of September 2023, upon Defendant West Virginia United Health System, Inc.'s Motion to Compel. The parties have fully briefed the issues necessary. On this day, oral argument was presented by the parties regarding the facts and legal contentions in the materials before the court. At the conclusion of the parties' oral argument, the Court indicated that it will take this matter under consideration and held its ruling in abeyance, pending further review. The Court likewise directed the movant and Plaintiff Charleston Area





Medical Center to file proposed orders regarding this matter and serve a copy upon all non-moving parties, by September 8, 2023.

It is hereby ORDERED that Defendant West Virginia United Health System, Inc.'s Motion to Compel be held in ABEYANCE pending further review.

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.

The Honorable Shawn D. Nines

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