IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

MAPLE LAKE CLUB, INC., a West Virginia corporation, Plaintiff,

v.

SCA EFiled: Jul 20 2023 10:58AM EDT Transaction ID 70438541

Supreme Court Docket No. 23-405 Harrison County Circuit Court Civil Action No. CC-17-2023-C-44 Judge Thomas A. Bedell

BENEDUM AIRPORT AUTHORITY, a West Virginia corporation, WOLFE'S EXCAVATING, LLC, a West Virginia corporation, and THE THRASHER GROUP, INC., a West Virginia corporation,

Defendants.

JOINT RESPONSE OF ALL PARTIES IN SUPPORT OF "JUDICIAL MOTION TO REFER CASE TO THE BUSINESS COURT DIVISION"

NOW COME the Plaintiff and all Defendants, by and through their undersigned counsel,

and hereby notify the Court that they do support the referral of this civil action to the Business

Court Division and join the "Judicial Motion to Refer Case to the Business Court Division"

previously filed by Judge Bedell.

Respectfully Submitted By All Parties By Counsel

Jointly Submitted By:

<u>/s/ William M. Tiano</u> William M. Tiano, Esq. (WVSB #4308) TIANO O'DELL, PLLC 118 Capitol Street Charleston, WV 25339

Thomas G. Dyer, Esq. (WVSB #4579) Zachary S. Dyer, Esq. DYER LAW P.O. Box 1332 Clarksburg, WV 26301

Counsel for Plaintiff

/s/ Teresa J. Dumire

Teresa J. Dumire, Esq. (WVSB # 8032) Margaret E. Lewis, Esq. (WVSB # 10329) KAY CASTO & CHANEY PLLC 150 Clay Street, Suite 100 Morgantown, WV 26501 *Counsel for Defendant Wolfe's Excavating, LLC*

/s/ J. Mark Adkins

J. Mark Adkins, (WVSB #7414) Unaiza R. Tyree, (WVSB #13040) Zachary J. Rosencrance, (WVSB #13253) Bowles Rice LLP P.O. Box 1386 Charleston, WV 25325 *Counsel for Thrasher Group, Inc.*

<u>/s/ Lauren E. Motes</u> Lindsey M. Saad, Esq. (WVSB #11155) Lauren E. Motes, Esq. (WVSB #14053) Dinsmore & Shohl, LLP 215 Don Knotts Bldv., Suite 310 Morgantown, WV 26501 *Counsel for Benedum Airport Authority*

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CERTIFICATE OF SERVICE

I, Teresa J. Dumire, hereby certify that on this the 20th day of July, a true copy of the foregoing **Joint Response of All Parties in Support of "Judicial Motion to Refer to the Business Court Division"** was filed with the Supreme Court of Appeals of West Virginia using File & Serve Xpress, which will send notification of such filing to the following participants:

William M. Tiano, Esq. TIANO O'DELL, PLLC 118 Capitol Street Charleston, WV 25339 **Counsel for Plaintiff**

J. Mark Adkins, Esq. Unaiza R. Tyree, Esq. Zachary J. Rosencrance, Esq. Bowles Rice 600 Quarrier Street Charleston, WV 25301 **Counsel for Thrasher Group, Inc.** Thomas G. Dyer, Esq. Zachary S. Dyer, Esq. DYER LAW P.O. Box 1332 Clarksburg, WV 26301 **Counsel for Plaintiff**

Lindsey Saad, Esq. Lauren E. Motes, Esq. Dinsmore & Shohl, LLP 215 Do Knotts Blvd, Suite. 310 Morgantown, WV 26501 **Counsel for Benedum Airport**

> /s/ Teresa J. Dumire Teresa J. Dumire