

**ADMINISTRATIVE ORDER  
SUPREME COURT OF APPEALS OF WEST VIRGINIA**

MOORE CHRYSLER, INC.,  
Plaintiff

vs.

Mingo County Civil Action No. 21-C-21  
Supreme Court Docket No. 21-BCD-15

THORNHILL MOTOR CAR, INC., doing business as  
THORNHILL CHRYSLER DODGE JEEP RAM,  
Defendant

**ORDER DENYING REFERRAL**

On July 13, 2021, the defendant, Thornhill Motor Car, Inc., by counsel, Johnnie E. Brown and Donovan M. Powell, Pullin, Fowler, Flanagan, Brown & Poe, PLLC, filed a motion to refer this case to the Business Court Division in accordance with Rule 29 of the West Virginia Trial Court Rules ("TCR").

On August 4, 2021, the plaintiff, Moore Chrysler, Inc., by counsel, Charles R. Bailey and John P. Fuller, Bailey & Wyant, PLLC, submitted an untimely response to the motion to refer. The plaintiffs, by counsel, filed a motion for leave to file the response out-of-time, on August 5, 2021. The motion for leave to file the response out-of-time, is granted, and the response is ordered filed.

Upon careful review and consideration of the motion and the response, the Chief Justice has determined that this dispute does not require specialized treatment to improve the expectation of a fair and reasonable resolution, and this case does not meet the criteria for referral under T.C.R. 29.04(a)(2).

It is ORDERED that the motion to refer this action to the Business Court Division is DENIED.

The Clerk of Court shall provide a copy of this order to the Honorable Michael D. Lorensen, Chair of the Business Court Division, the Central Office of the Business Court Division, the Honorable Miki J. Thompson, Judge of the Circuit Court of Boone County, and to the Clerk of the Circuit Court of Boone County.

ENTERED: OCTOBER 22, 2021



  
EVAN H. JENKINS  
Chief Justice