

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Pocahontas Surface Interests LLC, Pocahontas
Land LLC, and Pocahontas Development LLC,
Plaintiffs**

**vs. Civil Action No. 20-C-49 (McDowell County)
Supreme Court Docket No. 21-BCD-4**

**Appalachian Forests A, LLC and The
Forestland Group LLC,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Appalachian Forests A, LLC and The Forestland Group LLC, by counsel Ryan McCune Donovan and Andrew C. Robey, Hissam Forman Donovan Ritchie PLLC, have filed a motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules. Plaintiffs Pocahontas Surface Interests LLC, Pocahontas Land LLC, and Pocahontas Development LLC, by counsel C. William Davis, Richardson & Davis, PLLC, and Wade W. Massie, Penn, Stuart & Eskridge, filed a response in opposition to the motion to refer.

Defendants, by counsel Ryan McCune Donovan and J. Zak Ritchie, Hissam Forman Donovan Ritchie PLLC, filed a motion for leave to file a reply in support of their motion to refer, which is hereby denied.

Upon careful review and consideration of the motion and the response thereto, the Chief Justice has determined that this case does not meet the criteria for referral under Rule 29.04 of the West Virginia Trial Court Rules.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is DENIED and that a copy of this order be transmitted to the Honorable Michael D. Lorensen, Chair of the Business Court Division; to the Central Office of the Business Court Division; to the Honorable Rudolph J. Murensky, II, Judge of the Eighth Judicial Circuit; and to the Clerk of the Circuit Court of McDowell County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MARCH 16, 2021



EVAN H. JENKINS
Chief Justice