

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Triton Construction, Inc.,
a West Virginia Corporation,
Plaintiff**

**vs. Civil Action No. 21-C-7 (Preston County)
Supreme Court Docket No. 21-BCD-16**

**Gannett Fleming, Inc.,
a Delaware Corporation, and
Monongahela Conservation District,
a West Virginia Conservation District,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Plaintiff Triton Construction, Inc., by counsel Norman T. Daniels, Jr. and Thomas E. G. Spears, Daniels Law Firm, PLLC, has filed a motion to refer the above-styled action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Defendant Monongahela Conservation District, by counsel Hilary M. Bright and Shannon Smith Wolfe, The Bright Law Firm, PLLC, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion and the response thereto, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Michael D. Lorensen, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; to the Honorable Steven L. Shaffer, Judge of the Eighteenth Judicial Circuit; and to the Clerk of the Circuit Court of Preston County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: SEPTEMBER 20, 2021



EVAN H. JENKINS
Chief Justice