

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

TURNER EXCAVATING, INC.,
Plaintiff

vs.

SCA EFiled: Oct 03 2022
02:15PM EDT
Transaction ID 68202675
Boone Civil Action No. 22-C-56
Supreme Court Docket No. 22-675

JP MORGAN CHASE BANK, NA,
BLACKHAWK SUB, LLC,
1ST TRUST BANK, INC., and
JOHN DOE,
Defendants

ORDER DENYING REFERRAL

On August 29, 2022, the defendant, JP Morgan Chase Bank, NA, by counsel Andrew P. Smith, Steptoe & Johnson 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 September 16, 2022, 1st Trust Bank, by counsel, Mary Claire Davis and Alex J. Zurbuch, Frost Brown Todd LLC, filed a response in support of the motion to refer. On September 19, 2022, Turner Excavating, Inc., by counsel, Matthew M. Hatfield, Hatfield & Hatfield, PLLC, filed a response opposing the motion to refer.

Upon careful review and consideration of the motion and the responses, 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 Stacy L. Nowicki-Eldridge, Judge of the Circuit Court of Boone County, and to the Clerk of the Circuit Court of Boone County.

ENTERED: OCTOBER 3, 2022





JOHN A. HUTCHISON
Chief Justice