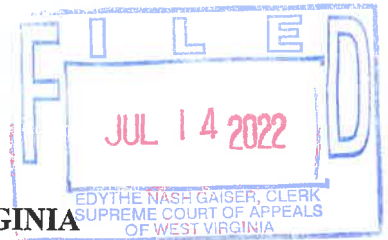


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IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

TRI-STATE AMBULANCE, INC.,

Plaintiff,

Ohio County Circuit Court

Civil Action No. 20-C-155

(Hon. Michael J. Olejasz, Judge)

v.

**WHEELING HOSPITAL, INC.,
WEST VIRGINIA UNIVERSITY
HOSPITALS, INC., HEALTHTEAM
CRITICAL CARE TRANSPORT, LLC,
and HEALTHNET AEROMEDICAL
SERVICES, INC.,**

FILE COPY

22-BCD-09

Defendants.

**DEFENDANTS HEALTHTEAM CRITICAL CARE TRANSPORT, LLC
AND HEALTHNET AEROMEDICAL SERVICES, INC.'S REPLY MEMORANDUM
TO WEST VIRGINIA UNIVERSITY HOSPITAL, INC.'S MOTION TO
REFER CASE TO BUSINESS COURT DIVISION**

COME NOW Defendants HealthTeam Critical Care Transport, LLC, and HealthNet Aeromedical Services, Inc., by undersigned counsel, pursuant to West Virginia Trial Court Rule 29.06(a)(4), and respond to the *Motion to Refer Case to Business Court Division* filed by Defendant West Virginia University Hospital, Inc.

These Defendants agree that the issues and causes of action involved fall within the definition of "Business Litigation" pursuant to Rule 29.04(a) of the West Virginia Trial Court Rules. This dispute presents commercial issues which call for specialized treatment.

Accordingly, these Defendants do not oppose and, indeed, advocate for the transfer of this action to the Business Court Division.

**HealthTeam Critical Care Transport,
LLC, and HealthNet Aeromedical
Services, Inc.**

By Counsel,



Julie A. Moore (WV Bar # 11315)
Michael C. Cardi (WV Bar # 12228)
BOWLES RICE LLP
125 Granville Square, Suite 400
Morgantown, West Virginia 26505
jamoore@bowlesrice.com
mcardi@bowlesrice.com
Phone: 304-285-2500
Fax: 304-285-2575


CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13th day of July 2022, a true and exact copy of the foregoing ***Defendants HealthTeam Critical Care Transport, LLC and HealthNet Aeromedical Services, Inc.'s Reply Memorandum to West Virginia University Hospital, Inc.'s Motion to Refer Case to Business Court Division*** was served via electronic mail upon all counsel of record:

Robert J. D'Anniballe, Jr., Esq. Anthony S. Caliguire, Esq. PIETRAGALLO GORDON ALFANO BOSICK & RASPANTI, LLP 333 Penco Road Weirton, WV 26062 RJD@Pietragallo.com ASC@Pietragallo.com <i>Counsel for Plaintiff</i>	Paul N. Garinger, Esq. BARNES & THORNBURG, LLP 41 South High Street, Suite 3300 Columbus, OH 43215 paul.garinger@btlaw.com <i>Counsel for Wheeling Hospital, Inc.</i>
Christine S. Vaglianti, Esq. Erin R. Vuljanic, Esq. Asst. Vice President/Sr. Litigation Counsel WEST VIRGINIA UNITED HEALTH SYSTEM, INC. 1238 Suncrest Towne Centre Drive Morgantown, WV 26505 vaglientic@wvumedicine.org erin.vuljamnic@wvumedicine.org <i>Counsel for West Virginia University Hospitals, Inc.</i>	

Copies also provided to:

Hon. Michael J. Olejasz, Judge, Ohio County Courthouse, 1500 Chapline Street, Room 506, Wheeling, WV 26003; the Ohio County Circuit Clerk's Office (via WV E-Filing System); and the Business Court Division Central Office, Berkeley County Judicial Center, 380 West South Street, Suite 2100, Martinsburg, WV 25401.



Michael C. Cardi (WVSB # 12228)