

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

2015 FEB 23 AM 9:06
CANAL
KANAWHA COUNTY CIRCUIT COURT

VANDALIA CAPITAL II, LLC, UNITED
BANK, INC., RALPH BALLARD, III,
STEPHEN B. FARMER, DAVID P.
FERRETTI, SHAWN P. GEORGE,
MARK A. GRIMMETT, ROBERT
HUGGINS, ANDREW B. JORDAN, R.
SCOTT LONG, ANDREW A. PAYNE,
III, ROOKE ASSET PARTNERS, LP,
ANDREW K. ROOKE, and TIMOTHY K.
WILCOX,

Plaintiffs,

v.

DAVID P. PRAY, individually and as
Trustee of THE DAVID P. PRAY
REVOCABLE TRUST, DAVID P. PRAY
REVOCABLE TRUST, and JOHN/JANE
DOE,

Defendants,

v.

THE WOODS DEVELOPMENT
COMPANY, LLC,

Third-Party Defendant.

Civil Action No. 13-C-570

Presiding Judge: Paul T. Farrell

Resolution Judge: Russell M. Clawges Jr.

CASE MANAGEMENT AND SCHEDULING ORDER

On December 19, 2014, the Court conducted a telephonic case management and scheduling conference in the above-styled matter. The Plaintiffs appeared by Scott Segal, their attorney, the Defendants appeared by Brian Glasser, their attorney, and the Third-Party Defendant appeared by Scott Kaminski, its attorney. During the conference, the Court and the parties discussed a briefing schedule that would be followed by mediation. Thereafter, the parties agreed to the following briefing schedule:

1. By March 19, 2015, (i) Plaintiffs and Third-Party Defendant and (ii) Defendants shall file with the Court and serve on each other, a brief setting forth its arguments with respect to no more than five issues; and
2. By April 16, 2015, (i) Plaintiffs and Third-Party Defendant and (ii) Defendants shall file with the Court and serve on each other, a reply to the opposing parties' brief.

After briefing is complete, the Court will confer with counsel to determine if oral argument is necessary. Following the Court's issuance of a decision with respect to the parties' briefs, the parties shall participate in mediation before the Honorable Russell M. Clawges Jr. Any scheduling orders entered before transfer to the Business Court Division are vacated.

All of which is **ORDERED** and **DECREED**.

Enter this 19 day of February, 2015.



The Honorable Paul T. Farrell

Submitted by:

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Counsel for The Woods Development Company, LLC

Date: 2/24/15
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JC
BG
SS
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