

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Phillip Allen, d/b/a Allen's Jewelry Service,  
Plaintiff**

**vs) No. 13-C-260 (Kanawha County)**

**Reeds Jewelers of North Carolina, Inc.,  
a North Carolina corporation, and Tim Hadden,  
Defendants**

On a prior day, the Chief Justice of the Supreme Court of Appeals received a motion to refer the above-referenced case to the Business Court Division ("Division") pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

By Administrative Order entered on May 2, 2013, the Chief Justice, pursuant to TCR 29.06(c)(1), directed the Division or a designated member thereof to conduct a hearing, in order to receive evidence and to entertain arguments by the parties or any judge, and submit findings of fact and a recommendation to the Chief Justice as to whether the above-referenced case should be referred to the Division.

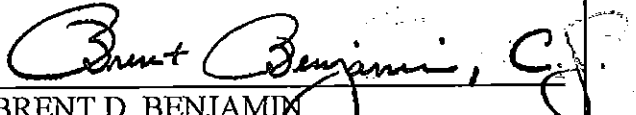
The Honorable Thomas C. Evans III, a Judge of the Division, has advised the Chief Justice that he conducted a hearing on June 6, 2013, and has submitted his Findings of Fact and Recommendation.

Upon reviewing the motion to refer, the reply memorandum, and the Findings of Fact and Recommendation submitted by Judge Evans, the Chief Justice has determined that the motion should be denied and the case should not be referred to the Division.

It is hereby ORDERED that the motion to refer this case to the Division is denied.

It is further ORDERED that a copy of this ORDER be transmitted to the Honorable Christopher C. Wilkes, Chair of the Division; the Central Office of the Division; the Honorable James C. Stucky, Judge of the Thirteenth Judicial Circuit; and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JUNE 18, 2013

  
BRENT D. BENJAMIN  
Chief Justice