

ADMISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**The County Commission of
Hampshire County, et al., Plaintiffs**

vs. No. 12-C-25 (Hampshire County)

**Somerset Steel Erection Co., Inc., et al.,
Defendants**

and

East Mountain Health, LLC, Plaintiff

vs. No. 12-C-62 (Hampshire County)

The Hampshire County Development Authority, Defendant

The Honorable Charles E. Parsons, Chief Judge of the Twenty-Second Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals of a motion filed to refer the above-referenced cases to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

Upon careful review and consideration of the motion and all reply memoranda, the Chief Justice has determined that this case involves a county government, which is not a business entity as contemplated by TCR 29; and, pursuant to TCR 29.06(a)(2), that the motion to refer is untimely in the absence of a finding by the circuit court that the litigation may be resolved more expeditiously by referral to the Business Court Division.

It is hereby ORDERED that the motion to refer these cases to the Business Court Division is REFUSED and that a copy of this ORDER be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division; to the Central Office of the Business Court Division; to the Honorable Charles E. Parsons; and to the Clerk of the Circuit Court of Hampshire County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MAY 31, 2013


BRENT D. BENJAMIN
Chief Justice