

ADMISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Vandalia Capital II, LLC,
and United Bank, Inc.,
Plaintiffs**

v. No. 13-C-570 (Kanawha County)

**David P. Pray, Individually and as
Trustee of the David P. Pray Revocable
Trust, David P. Pray Revocable Trust,
and John/Jane Doe,
Defendants**

The Honorable Louis H. Bloom, Judge of the Thirteenth Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Vandalia Capital II and United Bank, Inc., by counsel Scott S. Segal and Mark R. Staun, and The Segal Law Firm, filed a motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). A response in opposition to the motion to refer was filed on behalf of David P. Pray, Individually and as Trustee of the David P. Pray Revocable Trust, by counsel Brian A. Glasser, Thanos Basdekis, and Rebecca Pomeroy, and Bailey & Glasser, LLP.

Upon careful review and consideration of the motion, the exhibits to the motion, and the reply memorandum, the Chief Justice has determined that the principal claims in the action are not between business entities as required by Trial Court Rule 29.04(a)(1), and the motion to refer should therefore be denied.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is DENIED 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 Louis H. Bloom; 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 25, 2013


BRENT D. BENJAMIN
Chief Justice