

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Loyd C. Taylor d/b/a L.C. Taylor Enterprises,  
Plaintiff**

**vs. No. 10-C-91 (Monroe County)**

**John Doe, as personal representative of the Estate  
of Warren D. Smith, Sweet Springs Management, LLC,  
a West Virginia limited liability company; Sweet Springs  
Valley Holdings, LLC, a West Virginia limited liability  
company; SweetSommer Water Bottling Company, LLC,  
a West Virginia limited liability company; Robert W.  
Ackerman, P.C., a Virginia professional corporation, and  
Pendleton Community Bank, Inc., a West Virginia corporation.,  
Defendants**

The Honorable Robert A. Irons, Judge of the Thirty-First Judicial Circuit, has advised the Chief Justice of the Supreme Court of Appeals that Defendant Pendleton Community Bank, Inc. by its counsel, William J. Powell, Chris D. Petersen, and the law firm of Jackson Kelly PLLC, 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").

Upon careful review and consideration of the motion and all reply memoranda, the Chief Justice has determined, 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 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 Robert A. Irons; and to the Clerk of the Circuit Court of Monroe County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: AUGUST 1, 2013

  
BRENT D. BENJAMIN  
Chief Justice