

IN THE CIRCUIT COURT OF UPSHUR COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

SHELL EQUIPMENT CO., INC.,  
a West Virginia corporation,

Plaintiff,

v.

Civil Action No. 08-C-18  
Presiding Judge: Christopher C. Wilkes  
Resolution Judge: James J. Rowe

ROSSCO LIMITED LIABILITY COMPANY,  
a West Virginia limited liability company,  
CARSON ONE MINING, LLC,  
a West Virginia limited liability company,  
and "JOHN DOE DEFENDANTS,"

Defendants.

VOLUNTARY DISMISSAL ORDER

This day came Defendant, Rossco Limited Liability Company ("Rossco"), by counsel, Kenneth E. Webb, Jr. and the law firm of Bowles Rice McDavid Graff & Love LLP, and came Plaintiff, Shell Equipment Co., Inc. ("Shell"), by counsel, Gregory H. Schillace of the Schillace Law Office, who jointly ask this Court to dismiss the Counterclaim of Rossco filed in the instant action with prejudice.

Accordingly, based upon the representation of counsel, and perceiving no objection thereto, it is hereby ORDERED that the Counterclaim of Rossco filed in the instant action be and hereby is DISMISSED WITH PREJUDICE. It is further ORDERED that each of the parties hereto shall bear their own court costs and attorneys' fees.

The Clerk is directed to provide a certified copy of this Order to all counsel of record, to Rory Perry, Clerk of WVSCA, and the Business Court Division, 380 W. South St., Martinsburg, WV 25401.

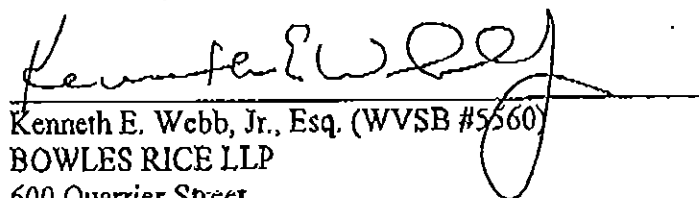
ENTERED this 1 day of May, 2014.

Christopher C. Wilkes, Judge  
Business Court Division

UPS HUR COUNTY, WV  
FILED  
MAY -1 A 10:47  
RORY PERRY  
CIRCUIT CLERK

cc 5/1/14  
K. Webb  
G. Schillace  
R. Perry  
BCD

Prepared by:



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*Counsel for Rossco Limited Liability Company*

Agreed to by:

*6/15 w/ permission by phone 5-1-14*  
\_\_\_\_\_  
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