

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Shell Equipment Co., Inc., a West Virginia Corporation,  
Plaintiff**

**vs. Civil Action No. 08-C-18 (Upshur County)**

**Rosco Limited Liability Company, a West Virginia  
limited liability company, Carson One Mining, LLC,  
a West Virginia limited liability company, "John Doe Defendants,"  
Defendants**

The Honorable John L. Henning, Senior Status Judge, has submitted to the Chief Justice of the Supreme Court of Appeals his motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Senior Status Judge Henning was sitting as a temporary Judge in the Twenty-Sixth Judicial Circuit when the motion to refer was filed.

Upon careful review and consideration of the motion, the Chief Justice has determined that the principal claims in the action are between business entities as required by Trial Court Rule 29.04(a)(1), that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by Trial Court Rule 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that any members of the Business Court Division assigned to this matter by Judge Wilkes are authorized pursuant to Article VIII § 3 of the West Virginia Constitution and TCR 29.07(b) to preside over the above-styled case in Upshur County.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; to the Honorable Kurt W. Hall, Judge of the Twenty-Sixth Judicial Circuit; and to the Clerk of the Circuit Court of Upshur County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: SEPTEMBER 24, 2013

  
BRENT D. BENJAMIN  
Chief Justice