

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Lowell Thomas, Ward Thomas & Sons, Inc.,
and Omni Holdings, Inc.,
Plaintiffs**

v. No. 14-C-152 (Preston County)

**Gregory Clark Thomas, Ultra Body Repair, Inc.,
Triple T Timbering, LLC, and Omni Farms, LLC,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Gregory Clark Thomas, Ultra Body Repair, Inc., Triple T Timbering, LLC, and Omni Farms, LLC, by counsel, William C. Brewer, J. Tyler Slavey, and the law firm of Brewer & Giggenbach, PLLC, filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Plaintiffs Lowell Thomas, Ward Thomas & Sons, Inc., and Omni Holdings, Inc., by counsel, David M. Jecklin, Michelle L. Bechtel, and the law firm of Gianola, Barnum, Bechtel & Jecklin, LC, filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion and the reply memorandum, the Chief Justice has determined that this litigation does not meet the definition of business litigation as set forth in Trial Court Rule 29.04(a)(1) and (a)(2), 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 Robert B. Stone, Senior Status Judge sitting by temporary assignment; and to the Clerk of the Circuit Court of Preston County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: OCTOBER 29, 2014



ROBIN JEAN DAVIS
Chief Justice