

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Betty Parmer,
Plaintiff**

v. No. 13-C-651 (Monongalia County)


**Mitchell Brozik, Thomas Kupec, Brandon
Kupec, Gregory Morgan, and MB Security, LLC,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Mitchell Brozik and MB Security, LLC, by counsel, Edward R. Kohout, Attorney at Law, 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. Defendant Gregory Morgan, by counsel, Peter T. DeMasters, Stephen R. Brooks, Kyle T. Turnbull, Megan F. Bosak, and the law firm of Flaherty Sensabaugh Bonasso, PLLC, filed a response in opposition to the motion to refer. Plaintiff Betty Parmer, by counsel, S. Sean Murphy, and the law firm of S. Sean Murphy, PLLC, 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 Rule 29.04(a)(1) and (a)(2) of the West Virginia Trial Court Rules, 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 Susan B. Tucker, Judge of the Seventeenth Judicial Circuit; and to the Clerk of the Circuit Court of Monongalia County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: FEBRUARY 11, 2015


MARGARET L. WORKMAN
Chief Justice