

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA
(BUSINESS COURT DIVISION)

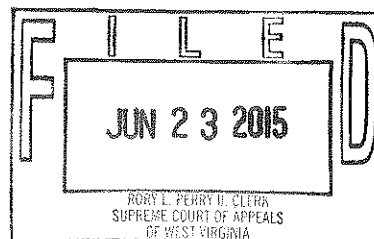
TM ASSOCIATES MANAGEMENT, INC.,
a Maryland Corporation,

Plaintiff,

vs.

Civil Action No.: 15-C-568
The Honorable Louis H. Bloom

DEER FOREST LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
DYLAN HEIGHTS LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
OLD ASH VILLAGE LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
PAULI HEIGHTS LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
BARBARA HEIGHTS LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
BROOK VILLAGE LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
DUNHILL LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
HUDSON PLACE LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,
VANMETER HEIGHTS LIMITED PARTNERSHIP,
a West Virginia Limited Partnership, and
WILSHERE LANDING LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,



Defendants.

DEFENDANTS' CONCURRENCE IN MOTION
TO REFER CASE TO BUSINESS COURT DIVISION

Come now the above-named Defendants ("Defendants"), by counsel, Mark A. Ferguson and the firm Ferguson Law Office, PLLC, and file their concurrence with Plaintiff's Motion to Refer Case to Business Court Division ("Motion"). Defendants agree that the jurisdiction of Business

Court Division is proper, and thus join in Plaintiff's Motion and request reference of this Civil Action to the Business Court Division.

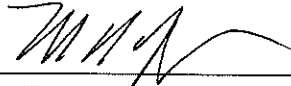
Dated: June 17, 2015

Respectfully submitted,

DEER FOREST LIMITED PARTNERSHIP,
DYLAN HEIGHTS LIMITED PARTNERSHIP,
OLD ASH VILLAGE LIMITED PARTNERSHIP,
PAULI HEIGHTS LIMITED PARTNERSHIP,
BARBARA HEIGHTS LIMITED PARTNERSHIP,
BROOK VILLAGE LIMITED PARTNERSHIP,
DUNHILL LIMITED PARTNERSHIP,
HUDSON PLACE LIMITED PARTNERSHIP,
VANMETER HEIGHTS LIMITED PARTNERSHIP,
WILSHERE LANDING LIMITED PARTNERSHIP,

Defendants,

By Counsel



Mark A. Ferguson
Ferguson Law Office, PLLC
230 Capitol Street, Suite 300
Charleston, WV 25301
(304) 342-9100
WV Bar No. 1182

Counsel for Defendants

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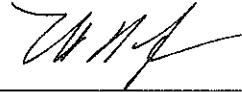
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a West Virginia Limited Partnership, and
WILSHERE LANDING LIMITED PARTNERSHIP,
a West Virginia Limited Partnership,

Defendants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Defendants' Concurrence in Motion to Refer Case to the Business Court Division was served, by first class United States mail, this 17th day of June, 2015, on the following counsel of record in this case:

Jared M. Tully, Esq.
Elizabeth A. Moore, Esq.
Frost, Brown, Todd, LLC
500 Lee Street, East
Laidley Tower, Suite 401
Charleston, WV 25301



Mark A. Ferguson