

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**West Virginia Baseball, LLC,
Plaintiff**

vs. Civil Action No. 15-C-1848 (Kanawha)


**Medical Weight Loss Clinic of Charleston,
Defendant**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendant Image Medispa, LLC, f/k/a Medical Weight Loss Clinic of Charleston, by counsel, Scott H. Kaminski and the law firm of Balgo & Kaminski, L.C., has filed a motion to refer the above-referenced case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules. Plaintiff West Virginia Baseball, LLC, by counsel, Elizabeth G. Kavitz and the law firm of Kavitz Law 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 dispute does not require specialized treatment to improve the expectation of a fair and reasonable resolution, and therefore does not meet the criteria for referral under Rule 29.04(a)(2) of the West Virginia Trial Court Rules.

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 James C. Stucky, Chief Judge of the Thirteenth Judicial Circuit; and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: NOVEMBER 9, 2015


MARGARET L. WORKMAN
Chief Justice