

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**University Healthcare Foundation, Inc.
f/k/a City Hospital Foundation, Inc.,
Petitioner**

vs. Civil Action No. 15-AA-6 (Berkeley County)

**Larry A. Hess, Assessor of Berkeley
County, West Virginia, and Mark W.
Matkovich, State Tax Commissioner,
Respondents**


The Chief Justice of the Supreme Court of Appeals has been advised that Petitioner University Healthcare Foundation, Inc., f/k/a City Hospital Foundation, Inc., by counsel, Michael E. Caryl, J. Tyler Mayhew, and the law firm of Bowles Rice LLP, with the consent of Respondents Larry A. Hess, Assessor of Berkeley County, West Virginia, and Mark W. Matkovich, State Tax Commissioner, has filed a motion to refer the above-styled action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

Upon careful review and consideration of the motion, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action 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 a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable John C. Yoder, Judge of the Twenty-Third Judicial Circuit; and to the Clerk of the Circuit Court of Berkeley County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JUNE 5, 2015


MARGARET L. WORKMAN
Chief Justice