

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Lee Trace LLC,
Petitioner**

vs. Civil Action No. 15-AA-5 (Berkeley County)

**Berkeley County Council as Board of
Review and Equalization, and Berkeley County
Council, and Larry Hess, as Assessor for
Berkeley County, West Virginia,
Respondents**

The Chief Justice of the Supreme Court of Appeals has been advised that Respondents Berkeley County Council as Board of Review and Equalization, and Berkeley County Council, and Larry Hess, Assessor of Berkeley County, West Virginia, by counsel, Norwood Bentley III, have 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 ("TCR"). Petitioner Lee Trace LLC, by counsel, Thomas Moore Lawson and the law firm of Lawson and Silek, P.L.C., filed a response in opposition to the motion to refer.

Upon careful review and consideration of the motion, 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. In addition, given the procedural posture of this matter and the related case that is currently on appeal to this Court, the Motion to Refer should 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 Michael D. Lorensen, 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