

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**John Mark Hickman, Cecil Lee Hickman,  
Lawrence Grant Hickman, and Carol Sue  
Criswell, individually, and on behalf of a  
class of similarly-situated persons,  
Plaintiffs**

**vs. Civil Action No. 14-C-133 (Ohio)**

**Alliance Resource GP, LLC, Tunnel Ridge, LLC,  
Robin Energy Inc. and Jesmar Energy, Inc.,  
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Alliance Resource GP, LLC, Tunnel Ridge, LLC, and Robin Energy, Inc., by counsel, P. Nathan Bowles, and the law firm of P. Nathan Bowles, PLLC, and Defendant Jesmar Energy, Inc., by counsel, Karen E. Kahle, Deva A. Solomon, and the law firm of Steptoe & Johnson PLLC, 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. Plaintiffs John Mark Hickman, Cecil Lee Hickman, Lawrence Grant Hickman, and Carol Sue Criswell, individually, and on behalf of a class of similarly-situated persons, by counsel, David B. McMahon, Attorney at Law, and James G. Bordas Jr., Jeremy M. McGraw, and the law firm of Bordas and Bordas, PLLC, 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 this case 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 Ronald E. Wilson, Judge of the First Judicial Circuit; and to the Clerk of the Circuit Court of Ohio County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: MAY 23, 2016

  
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MENIS E. KETCHUM  
Chief Justice