

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

MILLIE TOMBLIN, d/b/a
C&J SECURITY, INC.,
Plaintiff,

Wayne County Circuit Court
Civil Action No. 16-C-034

v.

EAGLE PIPELINE, LLC, an Ohio limited liability
company and COLUMBIA PIPELINE GROUP, INC.;
and COLUMBIA PIPELINE GROUP SERVICES
COMPANY, a Delaware corporation,
Defendants,

and

EAGLE PIPELINE, LLC, an Ohio
Limited liability company,
Defendant and Cross-Claim Plaintiff

v.

COLUMBIA PIPELINE GROUP SERVICES COMPANY,
a Delaware corporation,
Cross-Claim Defendant,

and

EAGLE PIPELINE, LLC, an Ohio limited liability company
Defendant and Third Party Plaintiff,

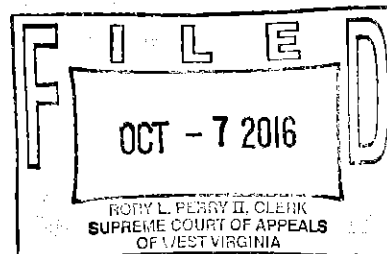
v.

COLUMBIA GAS TRANSMISSION, LLC,
a Delaware limited liability company,
Third Party Defendant.

TO: THE HONORABLE CHIEF JUSTICE

JUDICIAL MOTION TO REFER CASE TO THE BUSINESS COURT DIVISION

Pursuant to Rule 29.06 of the West Virginia Trial Court Rules, the Honorable Darrell Pratt
respectfully requests the above-styled case be referred to the Business Court Division.



In regard to additional related actions:

There are no known related actions.

- ✓ The following related actions could be the subject of consolidation, and are
 - ✓ now pending
 - or
 - ✓ may be filed in the future. (Please list case style, number, and Court if any)

Now pending: OSEA, Inc. v. Eagle Pipeline, LLC, Columbia Pipeline Group, Inc., and Columbia Pipeline Group Services Company, Inc., (16-C-043, Wayne County Circuit Court)

May be filed in the future: Possible subcontractor claims. Please see Exhibit A.

This action involves: (Please check all that apply)

✓ Breach of Contract;
Sale or Purchase of Commercial Entity;
Sale or Purchase of Commercial Real Estate;
Sale or Purchase of Commercial Products
Covered by the Uniform Commercial Code;
Terms of a Commercial Lease;
Commercial Non-consumer debts;
Internal Affairs of a Commercial Entity;
Trade Secrets and Trademark Infringement;
Non-compete Agreements;
Intellectual Property, Securities, Technology
Disputes;
Commercial Torts;
Insurance Coverage Disputes in Commercial
Insurance Policies;
Professional Liability Claims in Connection
with the Rendering of Professional Services to
a Commercial Entity;

Anti-trust Actions between Commercial
Entities;
Injunctive and Declaratory Relief Between
Commercial Entities;
Liability of Shareholders, Directors, Officers,
Partners, etc.;
Mergers, Consolidations, Sale of Assets,
Issuance of Debt, Equity and Like Interest;
Shareholders Derivative Claims;
Commercial Bank Transactions;
Franchisees/Franchisors;
Internet, Electronic Commerce and
Biotechnology
Disputes involving Commercial Entities; or
Other (Describe) _____

In support of this motion, this matter contains issues significant to businesses, and presents novel and/or complex commercial or technological issues for which specialized treatment will be helpful, as more fully described here: This action involves a complex contract dispute between business entities. This type of contract dispute, which involves complex commercial issues, is not typically seen and/or dealt with in Wayne County Circuit Court. There are numerous other potential claims by subcontractors, which are also business entities, that would add to the complexity of this case.

In further support of this Motion, please find attached hereto an accurate copy of the operative Amended Complaint; Eagle's Amended Answer, Cross-Claim and Third Party Complaint; Columbia Pipeline Group Services Company's Answer; Columbia Gas Transmission, LLC's Answer; the docket sheet; and the following other documents: Exhibit A, which lists subcontractors which may have potential claims against Eagle and/or the Columbia entities in the future; Exhibit B, which is an Order Denying Columbia Defendants' Motion to Dismiss; and Exhibit C, which is a Protective Order.

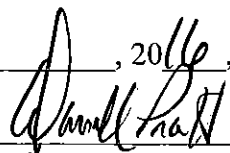
In regard to expedited review, this Court:

- ✓ DOES NOT request an expedited review under W.Va. Trial Court Rule 29.06(a)(4), and gives notice that all affected parties may file a memorandum stating their position, in accordance with W.Va. Trial Court Rule 29.

hereby REQUESTS that the Chief Justice grant this Motion to Refer without responses, pursuant to W.Va. Trial Court Rule 29.06(a)(4), and contends that the following constitutes good cause to do so.

WHEREFORE, the undersigned Judge hereby MOVES, pursuant to W.Va. Trial Court Rule 29, the Chief Justice of the West Virginia Supreme Court of Appeals to refer this case to the Business Court Division.

Respectfully submitted, this 5th day of Oct., 2016,



Circuit Judge

CERTIFICATE OF SERVICE

I, Darrell Pratt, do hereby certify that on this 5th day of October, 2016, I have served the foregoing "Judicial Motion to Refer Case to Business Court Division," with attachments by either hand delivery or first class mail to: Ancil G. Ramey, Esq., STEPTOE & JOHNSON, PLLC, P.O. Box 2195, Huntington, WV 25722; Marsha Kauffman, Esq., ROBINSON & McELWEE, PLLC, P.O. Box 1791, Charleston, WV 25326; Nicholas Stuchall, DANIELS LAW FIRM, PLLC, BB&T Square, Suite 1270, P.O. Box 1433, Charleston, WV 25325; the Wayne County Circuit Clerk's Office; and the Business Court Division Central Office, Berkeley County Judicial Center, 380 West South Street, Suite 2100, Martinsburg, WV 25401.

Sender Signature