

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Seminole Coal Resources, LLC,  
a Delaware Limited Liability Company,  
Plaintiff**

**vs. Civil Action No. 16-C-1026 (Kanawha County)**

**CSX Transportation, Inc., a  
Virginia Corporation, and Sperry  
Rail, Inc., a Delaware Corporation,  
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants CSX Transportation, Inc., by counsel, Marc E. Williams, Robert L. Massie, Melissa Foster Bird, and the law firm of Nelson, Mullins, Riley & Scarborough, LLP, and Sperry Rail, Inc., by counsel, John R. Hoblitzell, John D. Hoblitzell III, and the law firm of Kay Casto & Chaney 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.

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 James C. Stucky, 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 30, 2016



**MENIS E. KETCHUM**  
Chief Justice