

FILED

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

RICHARD C. RASHID, M.D.,

2013 OCT 10 PM 2:08

Plaintiff,

CIVIL ACTION NO. 97-C-725
JUDGE CARRIE WEBSTER

v.

CIVIL ACTION NO. 97-C-725
Judge Carrie Webster

MUHIB S. TARAKJI, M.D.,

Defendant.

Joint Motion Requesting Court to Refer This Case to Business Court

On this day comes the Plaintiff, Richard C. Rashid, M.D., by and through his counsel, Scott S. Segal, and the Defendant, Muhib S. Tarakji, M.D., by and through his counsel, Arden J. Curry, II, and jointly move pursuant to Rule 29.06 of the Trial Court Rules requesting this Court to sua sponte refer this case to the Business Court Division. As this case has been pending for more than three months, Rule 29.06 provides that "A Judge may file the Motion at any time, if it is determined that the litigation qualifies as Business litigation and that it may be resolved more expeditiously by referral to the division."

In requesting that the court refer this case to the Business Court Division, the parties state that this case involves complex issues regarding the enforceability of restrictive covenants and that this action may be resolved more expeditiously by referral to the Business Court Division. The parties further state that this action qualifies as business litigation as the principal claim or claims involve matters of significance to the transactions, operations, or governance between business entities.

Wherefore, the parties jointly move that this Court to sua sponte refer this case to the Business Court Division.

Richard C. Rashid, M.D

By counsel

Scott S Segal By A.H.

Scott S. Segal, Esq. (W.Va. No. 4717)
The Segal Law Firm
810 Kanawha Boulevard, East
Charleston, WV 25301

Muhib S. Tarajki, M.D

By counsel

Arden J. Curry, II

Arden J. Curry, II (W.Va. No. 907)
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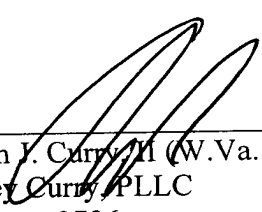
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Certificate of Service

I, Arden J. Curry, II, do hereby certify that on the 9th day of October, 2013, I filed this *Joint Motion Requesting This Court to Refer This Case to Business Court* with the Clerk of the Court and served the same upon the within named Defendant via U.S. mail, postage prepaid, a true copy thereof to the following:

Scott S. Segal, Esq.
The Segal Law Firm
810 Kanawha Boulevard, East
Charleston, WV 25301



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