

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Omega Facility Services, Solutions and Surety, LLC,
Jeffrey R. Brown, and Susan L. Brown, Plaintiffs**

vs. Civil Action No. 14-C-1745 (Kanawha County)

**Jacobs & Company, Inc., a West Virginia Corporation;
Jacobs Financial Group, Inc., a West Virginia Corporation;
FS Investments, Inc., a West Virginia Corporation; First
Surety Corporation, Inc., a West Virginia Corporation;
Triangle Surety Agency, Inc., a West Virginia Corporation;
John M. Jacobs, a West Virginia resident; and Robert J.
Kenney, a West Virginia resident,
Defendants**

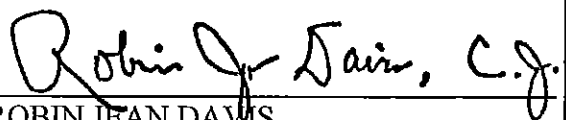
The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Jacobs & Company, Inc., Jacobs Financial Group, Inc., FS Investments, Inc., First Surety Corporation, Inc., Triangle Surety Agency, Inc., John M. Jacobs, and Robert J. Kenney, by counsel, Herschel H. Rose III, and the Rose Law Office, have filed a motion to refer the above-styled case to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Plaintiffs Omega Facility Services, Solutions and Surety, LLC, Jeffrey R. Brown, and Susan L. Brown, by counsel, Brandon S. Steele, Paul O. Clay Jr., and the law firm of Paul Clay & Associates, and Stephen P. Meyer, and the law firm of Meyer, Ford, Glasser, and Radman, PLLC, filed a response in support of the motion to refer.

Upon careful review and consideration of the motion and reply memorandum, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The mere fact that the action involves individuals does not, of itself, exclude the case from eligibility. The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this case to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Carrie L. Webster, 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: December 11, 2014


ROBIN JEAN DAVIS
Chief Justice