

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**VANDALIA CAPITAL, II, LLC, UNITED BANK, INC.,
RALPH BALLARD, III, STEPHEN B. FARMER, DAVID
P. FERRETTI, SHAWN P. GEORGE, MARK A GRIMMETT,
ROBERT HUGGINS, ANDREW B. JORDAN, R. SCOTT LONG,
ANDREW A. PAYNE, III, ROOKE ASSET PARTNERS, LP,
ANDREW K. ROOKE AND TIMOTHY K. WILCOX**

Plaintiffs

v.

**Civil Action No. 13-C-570
Presiding: Paul T. Farrell
Resolution: Russell M. Clawges Jr.**

**DAVID P. PRAY, INDIVIDUALLY AND AS TRUSTEE OF
THE DAVID P. PRAY REVOCABLE TRUST, DAVID P.
PRAY REVOCABLE TRUST, AND JOHN/JANE DOE,**

Defendants,

v.

**THE WOODS DEVELOPMENT COMPANY, LLC,
Third-Party Defendant.**

ORDER SETTING HEARING

The Court has received "United Bank, Inc.'s Motion to Dismiss David P. Pray's and the David P. Pray Revocable Trust's Counterclaim and Incorporated Memorandum of Law," the "Vandalia Capital II, LLC's Motion to Dismiss Counterclaims of David P. Pray and the David P. Pray Revocable Trust," and "The Woods Development Company, LLC's Joinder in United Bank, Inc.'s Motion to Dismiss David P. Pray's and The David P. Pray Revocable Trust's Counterclaim." In response to this Court's Order of February 19, 2015, the parties have also submitted briefs setting forth arguments with respect to five issues. The Court has received the "David P. Pray and the David P. Pray Revocable Trust's Opening Brief on Issues to be Adjudicated by the Court," the "Plaintiffs' Brief in Support of Their Requested Judicial Declarations," the "David P. Pray and the David P. Pray Revocable Trust's Answering Brief in

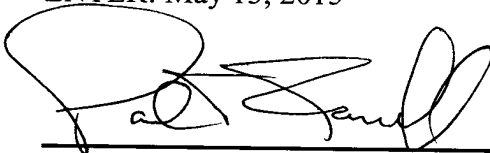
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CATY B. HARRIS, CLERK
KANAWHA COUNTY CIRCUIT COURT

Opposition to Plaintiffs' Issues to be Adjudicated by the Court," and the "Plaintiffs' Brief in Opposition to Opening Brief of David P. Pray and the David P. Pray Revocable Trust."

The Court finds that oral argument would clarify the issues and according hereby ORDERS that a hearing be held on June 24, 2015, at 1:00 p.m. in the Circuit Courtroom of the Honorable Paul T. Farrell at the Cabell County Courthouse, 750 5th Ave, Huntington, West Virginia.

The Clerk is instructed to forward attested copies of this Order to all counsel of record; resolution judge, the Honorable Russell M. Clawges Jr. at the Monongalia County Courthouse, 243 High Street, Morgantown, West Virginia 26505; and the Business Court Division Central Office at 380 W. South Street, Suite 2100, Martinsburg, West Virginia.

ENTER: May 13, 2015



PAUL T. FARRELL
RESOLUTION JUDGE
BUSINESS COURT DIVISION

Date: 5/21/15
Certified copies sent to:
☒ counsel of record
☒ parties Judge Clawges
other (please indicate) MS
By: ☒ certified/1st class mail
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Other directives accomplished:
R. Allen
Deputy Circuit Clerk

SS, BB, JC
MS
Bas & SK