

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

JAMES SCOTT PAULEY,
Plaintiff,

vs.

Civil Case No.: 14-C-7
Presiding Judge: Paul T. Farrell
Resolution Judge: James H. Young Jr.

APPALACHIAN STREAM RESTORATION, LLC,
a West Virginia limited liability company,
Defendant.

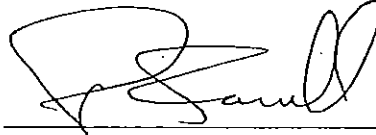
**ORDER GRANTING IN PART DEFENDANTS' MOTION TO DISMISS AND
GRANTING PLAINTIFF'S MOTION TO CONTINUE**

On a previous day this Court entered an Order Granting In Part Defendants' Motion to Dismiss and Granting Plaintiff's Motion to Continue, which held in abeyance the Defendants' Motion to Dismiss as it pertains to Plaintiff's failure to plead fraud with specificity. The Court permitted the Plaintiff to supplement the record and briefs to reflect the allegations and damages within the Complaint within sixty (60) days following entry of the Order. However, the Order inadvertently set Plaintiff's briefing deadline *after* the date of pre-trial.

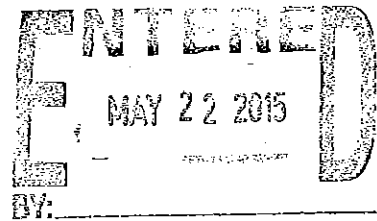
Accordingly, the Court hereby AMENDS its Order of April 23, 2015, to modify the briefing schedule set therein. Plaintiff may supplement the record and his briefs to support the allegations of fraud within the Complaint, if so desired, by Tuesday, May 26, 2015.

The Clerk of the Circuit Court of Lincoln County, West Virginia, is directed to forward an attested copy of this Order to the Resolution Judge, the Honorable James H. Young, Jr., at the Wayne County Courthouse, P.O. Box 68, Wayne, West Virginia 25570; the Business Court Division Central Office at the Berkeley County Judicial Center, 380 W. South Street, Suite 2100, Martinsburg, West Virginia, 25401; and all counsel of record.

ENTER this 19 day of May, 2015.



PAUL T. FARRELL, JUDGE
BUSINESS COURT DIVISION



A TRUE COPY

TESTE *Charles Dwyer*