

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

HORIZON VENTURES OF WEST  
VIRGINIA, INC.,

Plaintiff,

VS.

CASE NO. 13-C-196  
JUDGE JAMES H. YOUNG, JR.

AMERICAN BITUMINOUS POWER  
PARTNERS, L.P., et al.,

Defendants.

**ORDER**

On this 2<sup>nd</sup> day of July, 2015, the Court conducted a telephonic status conference to discuss scheduling in the above-styled matter. The Plaintiff appeared by Eric Frankovitch, Mark Colantonio and Kevin Pearl, its attorneys, and the Defendants appeared by John McCuskey and Roberta Green, their attorney. There also appeared Deutsche Bank AG by its counsel, Alexander Macia.

Thereupon, the parties agreed that this matter would benefit from mediation prior to setting forth a Scheduling Order. Therefore, the Court is of the opinion to set a mediation deadline prior to scheduling this matter for further proceedings.

It is, therefore, **ORDERED** that the mediation of this matter shall be completed by **September 30, 2015.**

It is further **ORDERED** that this matter shall come before this Court for a Status Conference on **October 19, 2015 at 2:00 p.m.**

BZ 7/8/15

146-147

All, accordingly, which is **ORDERED** and **DECREED**.

Enter this 6 day of July, 2015.

ORDER

ENTER:

  
Judge James H. Young, Jr.

***Horizon Ventures of West Virginia, Inc. vs. American Bituminous Power Partners, L.P.,  
Pleasant Valley Energy Company, American Hydro Power Partners, L.P., Business Court  
Case, Civil Action No. 13-C-196, Ohio County***

**Counsel for Plaintiff:**

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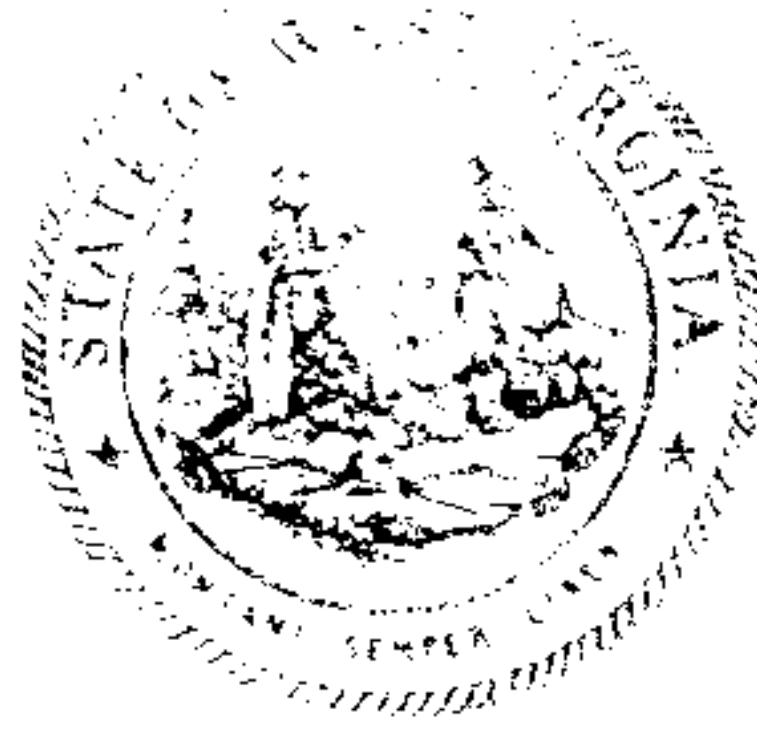
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**TWENTY-FOURTH JUDICIAL CIRCUIT**

WAYNE COUNTY, WEST VIRGINIA

POST OFFICE BOX 68

WAYNE, WEST VIRGINIA 25570

**JAMES H. YOUNG, JR.**

*Judge*

*Telephone*  
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July 6, 2015

Brenda L. Miller, Circuit Clerk  
Ohio County Courthouse  
1500 Chapline Street  
Wheeling, West Virginia 26003

RE: Horizon Ventures of West Virginia, Inc. vs. American Bituminous Power  
Partners, L.P., et al., Civil Action No. 13-C-196

Dear Ms. Miller:

Please find enclosed an original Order in the above-referenced matter, along with a copy and a self-addressed envelope in order that a time-stamped copy can be returned to me. Please mail copies to all attorneys of record in this matter. For your convenience, I have also enclosed a list of the attorneys of record in this matter.

If you need anything further, please contact me.

Sincerely,

Diana Fields  
Secretary

Enclosures