

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

**SHELL EQUIPMENT COMPANY, INC.,
SHELL ENERGY COMPANY, INC., SHELL
MINING COMPANY, INC., FRANK JOSEPH
STAUD, and JENNIFER STAUD,
Plaintiffs,**

vs.

**MCNEER, HIGHLAND, MCMUNN and
VARNER, L.C., a West Virginia legal
corporation,
Defendant.**

Civil Action No.: 14-C-143-2

Presiding Judge: Russell M. Clawges, Jr.

Resolution Judge: James J. Rowe

ORDER

On or about the 10th day of August, 2015, the Plaintiffs, Shell Equipment Company, Inc., Shell Energy Company, Inc., Shell Mining Company, Inc., Frank Joseph Staud and Jennifer Staud, by Gregory H. Schillace, their counsel, filed the following Motions: Motion of the Plaintiffs to Preclude the Defendant from Identifying any Expert Witness, Motion of the Plaintiffs for Partial Summary Judgment with Respect to the Civil Action Styled Shell v. Equipment Company, Inc., and Shell Energy Company, Inc., v. Monongahela Power Company, Allegheny Power and Allegheny Energy Service Corporation, Civil Action No. 09-C-3, Circuit Court of Marion County, West Virginia and Second Motion of the Plaintiffs to Compel Discovery, in the above-referenced matter. It is hereby ORDERED that the Defendants shall have ten (10) days from the date of entry of this Order within which to file their Responses thereto. It is further ORDERED that if the Defendant desires a hearing on any of the above-referenced motions, the Defendant shall contact the Court within ten (10) days of the date of entry of this Order to schedule the hearing. If after ten (10) days

this matter has not been scheduled for hearing, the Court will rule on the above-referenced motions without a hearing.

The Clerk shall transmit certified copies to counsel of record; the Presiding Judge, Russell M. Clawges, Jr.; the Resolution Judge James Rowe; the Business Court Division Central Office, and Berkeley County Judicial Center, 380 W. South Street, Martinsburg, West Virginia 25401.

ENTER: August 11, 2015

A handwritten signature in black ink, appearing to read "R. Clawges", written over a horizontal line.

RUSSELL M. CLAWGES, JR.
PRESIDING JUDGE
BUSINESS COURT JUDGE

STATE OF WEST VIRGINIA
COUNTY OF HARRISON, TO-WIT

I, Donald L. Kopp II, Clerk of the Fifteenth Judicial Circuit and the 18th
Family Court Circuit of Harrison County, West Virginia, hereby certify the
foregoing to be a true copy of the ORDER entered in the above styled action
on the 11 day of August, 2015

IN TESTIMONY WHEREOF, I hereunto set my hand and affix

the Seal of the Court this 18 day of August, 2015.

Donald L. Kopp II
Fifteenth Judicial Circuit & 18th Family Court
Circuit Clerk
Harrison County, West Virginia