

**IN THE CIRCUIT COURT FOR THE MONONGALIA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**F.K. EVEREST, INC., and
J. MIKE MARTIN**

Plaintiffs,

v.

CIVIL ACTION NO. 15-C-134

Presiding Judge: James J. Rowe

Resolution Judge: Paul T. Farrell

**RYAN L. EDDY, DAVID BRYTE,
INFINITY ELECTRIC, INC.,
ORANGE CONSTRUCTION CORPORATION,
JAROD GRAFFIUS, and JASON TOMORO,**

Defendants.

DISMISSAL ORDER

On a prior date came the Plaintiffs, F.K. Everest, Inc. and J. Mike Martin, by counsel, Wendy G. Adkins, and came Defendants, Ryan L. Eddy, David Bryte, Infinity Electric, Inc., Orange Construction Corporation, Jarod Graffius, and Jason Tomoro, by counsel, Andrew G. Fusco, advising the Court that pursuant to a settlement agreement, Plaintiffs have agreed and stipulated to the voluntary dismissal, with prejudice, of the above captioned case and all claims asserted against any defendant in its Amended Complaint. Counsel for each party approved and signed the Stipulation of Voluntary Dismissal of Amended Complaint With Prejudice, now part of the record and filed with the Circuit Clerk in the above captioned case file.

ACCORDINGLY, it is hereby ORDERED that the above-referenced matters are each DISMISSED, WITH PREJUDICE, as to all parties, with each party to bear its own attorneys' fees and costs. The Court hereby incorporates by reference the settlement agreement executed by the parties and retains jurisdiction to enforce the terms of that agreement. This being a FINAL ORDER, the Court directs the Circuit Clerk of Monongalia County to retire the above-captioned matter from the docket and place it among the causes ended. The Circuit

Clerk of Monongalia County is directed to distribute attested copies of this Order to all counsel of record; the Resolution Judge, the Honorable Paul T. Farrell at the Cabell County Courthouse, 750 Fifth Avenue, Huntington, WV 25701; and the Business Court Division Central Office, Berkeley County Judicial Center, 380 W. South Street, Martinsburg, West Virginia 25401.

IT IS SO ORDERED this 2nd day of September, 2015.


JAMES J. ROWE, Presiding Judge
Business Court Division

STATE OF WEST VIRGINIA, SS:

I, Jean Friend, Clerk of the Circuit and Family Courts of Monongalia County, State of West Virginia, do hereby certify that the attached is a true and correct copy of the original Order made and entered by said Court.

