

**ADMINISTRATIVE ORDER**

**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**Zurich American Insurance Company,  
as subrogee of Turner Construction  
Company, Turner Corporation, and  
Tompkins Builders, Inc., foreign corporations,  
Plaintiffs**

**v. No. 14-C-391-2 (Harrison County)**

**Thrasher Engineering, Inc., d/b/a Thrasher  
Engineering, a West Virginia Corporation, and  
Mascaro Construction Company, LP, a foreign entity,  
Defendants**

**and**

**Thrasher Engineering, Inc. (now The Thrasher Group, Inc.),  
Defendant/Third-Party Plaintiff,**

**v.**

**Skidmore, Owings & Merrill, LLP,  
Geoconcepts Engineering, Inc., and  
Thurner Construction Company,  
Third-Party Defendants**

The Honorable Thomas A. Bedell, Chief Judge of the Fifteenth Judicial Circuit, has filed a motion to refer the above-referenced action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Defendant Mascaro Construction Company, LP, by counsel, Edward A. Miller and the law firm of Marshall, Dennehey, Warner, Coleman & Goggin, P.C., has filed a response in support of said motion.

Upon careful review and consideration of the motion and reply memorandum, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Thomas A. Bedell, Chief Judge of the Fifteenth Judicial Circuit; and to the Clerk of the Circuit Court of Harrison County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: NOVEMBER 9, 2015

  
MARGARET L. WORKMAN  
Chief Justice