

FILED

**BUSINESS COURT DIVISION – WEST VIRGINIA SUPREME COURT OF APPEALS
IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA****PEOPLES BANK, NATIONAL ASSOCIATION**
Plaintiff,

vs.

**APPALACHIAN MINING and
RECLAMATION, LLC, et al.**
Defendants**Civil Action No. 15-C-807
Presiding: Judge Farrell
Resolution: Judge Young****ORDER OF RECUSAL AND TRANSFER**

Upon review of the above captioned case, the Court has determined that the appearance of judicial propriety and impartiality would best be served by the voluntary recusal of the undersigned Judge. After conferring with the represented parties, the Court finds it appropriate to remove itself from presiding over this matter due to a familial relationship with the Plaintiff's key witness. Therefore, the Court on its own motion hereby recues itself from any and all further proceedings in this matter and cancels the hearing set for March 1, 2016.

Accordingly, the Clerk shall enter the foregoing and forward attested copies hereof to all counsel of record; Resolution Judge, the Honorable James H. Young, Jr. at the Wayne County Courthouse, Post Office Box 68, Wayne, West Virginia 25570; the Business Court Division Central Office, Berkeley County Judicial Center, 380 W. South Street, Martinsburg, West Virginia 25401; and to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for reassignment of a presiding judge and any other such action necessary to effectuate the transfer of the above captioned case.

ENTER: February 25, 2016

**PAUL T. FARRELL
PRESIDING JUDGE
BUSINESS COURT DIVISION**