

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

BUSINESS COURT DIVISION

PEOPLES BANK, NATIONAL ASSOCIATION,
a national banking association,

Plaintiff,

v.

APPALACHIAN MINING AND RECLAMATION,
L.L.C., a Kentucky limited liability company,
DJWV2, LLC, a West Virginia limited liability company,
GREEN COAL, LLC, a Kentucky limited liability company,
JOINT VENTURE DEVELOPMENT, LLC, a Kentucky
limited liability company,
PRODUCER'S COAL, INC., a Kentucky corporation
formerly known as Producer's Dock, Inc.,
PRODUCER'S LAND, LLC, a Kentucky limited liability
company,
REDBUD DOCK, LLC, a Kentucky limited liability
company,
SOUTHERN MARINE SERVICES LIMITED
LIABILITY COMPANY, a Kentucky limited liability
company,
SOUTHERN MARINE TERMINAL, LLC, a Kentucky
limited liability company,
DENIST DAWN JOHNSON, Trustee of the Denise
Johnson Real Estate Trust,
DENNIS JOHNSON, a West Virginia resident, and
MARK PINSON, a West Virginia resident,

Defendants.

Civil Action No. 15-C-807
Judge Paul T. Farrell,
Presiding Judge

15-C-807

STIPULATION AND ORDER OF SUBSTITUTION OF COUNSEL

On this day came the Plaintiff, Peoples Bank, National Association, pursuant to Rule 4.04 of the West Virginia Trial Court Rules, and moved this Court to substitute the law firm of Bernstein-Burkley, P.C. as counsel of record for Plaintiff, Peoples Bank, National Association and that Bowles Rice, LLP, including its attorneys be permitted to withdraw as counsel of record

FILED

2016 APR 18 PM 3:47

CIRCUIT CLERK
CABELL COUNTY, WV

for Plaintiff, Peoples Bank, National Association. Bernstein-Burkley, P.C. is advised of the trial dates in this litigation and will be prepared for trial on such dates.

NOW, THEREFORE, upon giving careful consideration, it is ORDERED that Bowles Rice, LLP, including its attorneys, shall be granted permission to withdraw and are hereby withdrawn as counsel for and on behalf of Plaintiff, Peoples Bank, National Association, and that the law firm of Bernstein-Burkley, P.C. shall be substituted as counsel of record for Plaintiff, Peoples Bank, National Association, in this matter.

The Court hereby directs the Clerk of this Court to mail a certified copy of this Order to all counsel of record.

ENTER: This 15th day of April, 2016.

Juanita D. Pitt
Judge

Prepared by:

/s/

Kirk B. Burkley (WV Bar No. 11767)
Arch W. Riley, Jr. (WV Bar No. 3107)
BERNSTEIN-BURKLEY, P.C.
Suite 2200 Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
Telephone 412-456-8100
Facsimile 412-456-8135
Email: kburkley@bernsteinlaw.com
Email: ariley@bernsteinlaw.com

Approved by:

Peoples Bank, National Association

By:

Kevin GarveyIts: Senior Vice President

Approved by:

/s/

Julia A. Chincheck, Esq. (WV Bar No. 718)
Stuart A. McMillan, Esq. (WV Bar No. 6352)
Daniel J. Cohn, Esq. (WV Bar No. 11916)
Bowles Rice, LLP
600 Quarrier Street
P.O. Box 1386
Charleston, WV 25325-1386
304-347-1100

Prepared by:

Kirk B. Burkley (WV Bar No. 11767)
Arch W. Riley, Jr. (WV Bar No. 3107)
BERNSTEIN-BURKLEY, P.C.
Suite 2200 Gulf Tower
707 Grant Street
Pittsburgh, PA 15219
Telephone 412-456-8100
Facsimile 412-456-8135
Email: kburkley@bernsteinlaw.com
Email: ariley@bernsteinlaw.com

Approved by:

Peoples Bank, National Association

By:

Its:

Approved by:



Julia A. Chincheck, Esq. (WV Bar No. 718)
Stuart A. McMillan, Esq. (WV Bar No. 6352)
Daniel J. Cohn, Esq. (WV Bar No. 11916)
Bowles Rice, LLP
600 Quarrier Street
P.O. Box 1386
Charleston, WV 25325-1386
304-347-1100