

**IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION – WEST VIRGINIA SUPREME COURT OF APPEALS**

**THE WV INVESTMENT MANAGEMENT
BOARD, a public body corporate and
THE WV CONSOLIDATED PUBLIC RETIREMENT
BOARD, a public agency,**

Plaintiffs,

vs.

**CIVIL ACTION NO: 09-C-2104
JUDGE CHRISTOPHER C. WILKES**

**THE VARIABLE ANNUITY LIFE INSURANCE
COMPANY,**

Defendant

RULE 22 SCHEDULING ORDER

This matter came before the Court pursuant to (1) Defendant The Variable Annuity Life Insurance Company's Motion In Limine to Preclude Evidence Regarding Purported 1995 and 2001 Transfers Out of the Defined Contribution Plan; (2) Defendant The Variable Annuity Life Insurance Company's Motion In Limine to Exclude Testimony of Plaintiffs' Expert Chad Coffman; and (3) Defendant The Variable Annuity Life Insurance Company's Motion In Limine to Exclude Certain Parol Evidence and Opinion Testimony Regarding the Parties' Contracts. Therefore, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

Plaintiffs may file a response by Friday, August 26, 2016. Defendants may file a rebuttal by Wednesday, August 31, 2016. Both Defendant and Plaintiffs will provide the Court with three proposed orders corresponding to each motion. Thereafter the Court will rule upon the motion on the pleadings and the record or schedule a hearing if the Court deems it necessary. Any original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Carol.Miller@courtsww.gov with a courtesy copy to both Business.Court@courtsww.gov and Claire.Watson@courtsww.gov. Copies of the proposed orders and the original motions and memoranda shall be filed with the Clerk of the Circuit Court. The Court directs the Circuit Clerk to

enter the foregoing and forward an attested copy to all counsel of record and any self-represented parties.

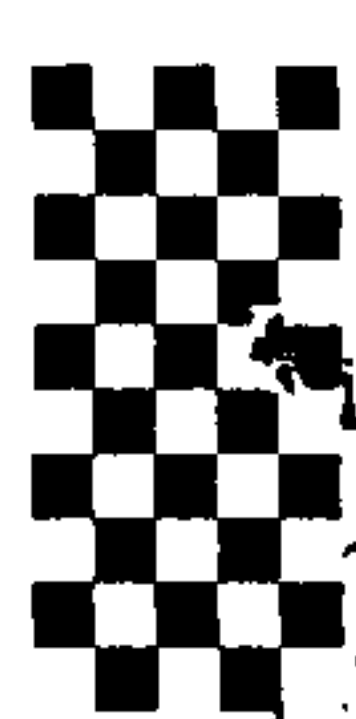
ENTER this 19 day of August, 2016.


CHRISTOPHER C. WILKES, JUDGE
BUSINESS COURT DIVISION

Date: 8/22/16
Certified copies sent to:
☒ counsel of record
☒ parties Bus. Ct.
☐ other (please indicate)
By: ☒ certified/1st class mail
☐ fax
☐ hand delivery
☐ interdepartmental
Other directives accomplished:
H. C. [Signature]
Deputy Circuit Clerk

Aug. 19. 2016 3:19PM

No. 1458 P. 1



Judicial Branch

Division Judges
Christopher C. Wilkes, Chair
James H. Young, Jr.
Thomas C. Evans, III
Paul T. Farrell
Russell M. Clawges, Jr.
H. Charles Carl III
Joanna I. Tabit

BUSINESS COURT DIVISION
WEST VIRGINIA SUPREME COURT OF APPEALS
BERKELEY COUNTY JUDICIAL CENTER
380 W. SOUTH STREET, SUITE 2100
MARTINSBURG, WEST VIRGINIA 25401
Phone (304)264-1992 • Fax (304)267-3731

Carol A. Miller,
Executive Director
carol.miller@courtsww.gov

2016 AUG 19 PM 4:39

CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

FAX COVER SHEET

To: Cathy Gatson, Clerk Fax 304-357-0473

From: Carol A. Miller, Executive Director
WV Business Court Division

Date: August 19, 2016

Re: *The WV Investment Management Board, et al. vs. The Variable Annuity
Life Insurance*
Civil Action No. 09-C-2104
Kanawha County, West Virginia

No. of Pages including cover sheet: 3

Please forward attested copies of the attached order to all counsel and pro se parties,
then file.

Thanks.