

NOTED DOCKET
DATE: 8-31-16
DAVID "BUGS" STOVER
CLERK CIRCUIT COURT
WYOMING COUNTY

IN THE CIRCUIT COURT OF WYOMING COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION

SUMMIT RESOURCES, INC.,

Plaintiff,

v.

Civil Action No. 14-C-60
Honorable Paul T. Farrell

WILLIAM W. KELLY, JR., Individually,
LEZLEI S. KELLY, Individually,
CLASSIC OIL & GAS SERVICES, INC.,
a foreign corporation, and CLASSIC
PIPELINE, INC., a West Virginia
corporation,

Defendants.

ORDER

On August 22, 2016, came Plaintiff, by counsel, Nicholas S. Preservati and the law firm of Spilman Thomas & Battle, PLLC; also came Defendants, Lezlei S. Kelly, Classic Oil & Gas Services, Inc. and Classic Pipeline, Inc., by counsel, Charles R. Bailey, Jordan K. Herrick and the law firm of Bailey & Wyant, PLLC, for a hearing on Defendants' Motion to Stay and the Plaintiff's Motion to Compel. Having been fully advised by Counsel, the Court has determined that the Defendants' Motion for Stay should be denied and the Plaintiff's Motion to Compel should be granted.

Therefore, it is hereby **ORDERED** that Defendants' Motion to Stay is denied. The Plaintiff's Motion to Compel the disclosure of Classic Oil & Gas Services, Inc.'s oil and gas severance tax returns filed with the West Virginia State Tax Department for the years 2010 to present is hereby granted. Classic Oil and Gas Services, Inc. shall execute the appropriate release allowing the Plaintiff to obtain the applicable severance tax records directly from the West Virginia State Tax Department.

The Clerk is directed to send certified copies of this Order to all counsel of record.


All of which is accordingly **ORDERED**.

Entered this 21 day of Aug, 2016.




HONORABLE PAUL T. FARRELL

Prepared by:



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