

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

ALAN ENTERPRIZES, LLC.

Plaintiff,

v.

Civil Action No. 14-C-503-2  
Honorable Joanna L. Tabit

MAC'S CONVENIENCE STORES LLC,  
d/b/a Circle K, JOYCE SAMMON,  
and LOUIS DIAB,

Defendants.

**ORDER**

On October 11, 2016, this cause came on to be heard on the Plaintiff's Motion to Compel, in which Plaintiff seeks an Order compelling Defendant Joyce Sammon to appear and testify at a supplemental deposition regarding certain information which she provided to Plaintiff's experts Dan Selby and Dr. Andrew Kleit. The Plaintiff appeared by its counsel, John C. Pulmer IV, Stephen D. Annand and Devan K. Flahive, and the Defendants appeared by Michael Bonasso and Kyle T. Turnbull, and by Zach Chaffee-McClure who appeared by telephone.

Whereupon the Court proceeded to hear the arguments of counsel upon the Motion. The Court, having heard the arguments of counsel, having read the Plaintiff's Motion to Compel and the Defendants' Response to Plaintiff's Motion to Compel, and being fully advised, is of the opinion to grant the Plaintiff's Motion for the specifically limited purposes set forth in the Motion. It is, accordingly

ORDERED that the Plaintiff's Motion to Compel the supplemental deposition of Defendant Joyce Sammon be, and it is hereby GRANTED, upon the conditions that Ms.


Sammon may only be examined concerning her interviews or meetings with Plaintiff's experts Dan Selby and Dr. Edward Kleit and information related to Mac's cost of doing business at the convenience store/gas station operated by Defendant Mac's Convenience Stores in Bridgeport, West Virginia, and that the duration of the deposition shall not exceed one hour. The Court understands that counsel for the parties will agree upon a date and location for the supplemental deposition.

Dated this 3<sup>rd</sup> ~~October~~ <sup>November</sup> day of October, 2016.

ENTER:

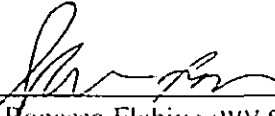
  
HONORABLE JOANNA I. TABIT

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