

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

VANDALIA CAPITAL II, LLC, et al.,

Plaintiffs,

v.

Civil Action No. 13-C-570

Presiding Judge: Paul T. Farrell

Resolution Judge: Russell M. Clawges, Jr.

DAVID P. PRAY, Individually and
as Trustee of the DAVID P. PRAY
REVOCABLE TRUST; DAVID P.
PRAY REVOCABLE TRUST; and
JOHN/JANE DOE,

Defendants,

v.

THE WOODS DEVELOPMENT COMPANY, LLC,

Third-Party Defendant.

ORDER OF DISMISSAL

BE IT REMEMBERED that on a prior date came the undersigned parties, by their counsel, and announced to the Court that all matters between the litigants have been resolved, settled, or reserved. The parties have jointly requested dismissal of the action, with the right to reopen, as agreed between them. There being no objection to the dismissal, the Court Orders as follows:

With regard to the claims and counterclaims asserted between plaintiff United Bank, Inc. and defendants, the Court does hereby ORDER, ADJUDGE and DECREE that those matters are hereby dismissed without prejudice.

With regard to the claims of Vandalia Capital II, LLC, Ralph Ballard, III, Stephen B. Farmer, David P. Ferretti, Shawn P. George, Mark A. Grimmett, Robert Huggins, Andrew B. Jordan, R. Scott Long, Andrew A. Payne, III, Rooke Asset Partners, LP, Andrew K. Rooke, and

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CATHY S. BOWEN, CLERK
KANAWHA COUNTY CIRCUIT COURT

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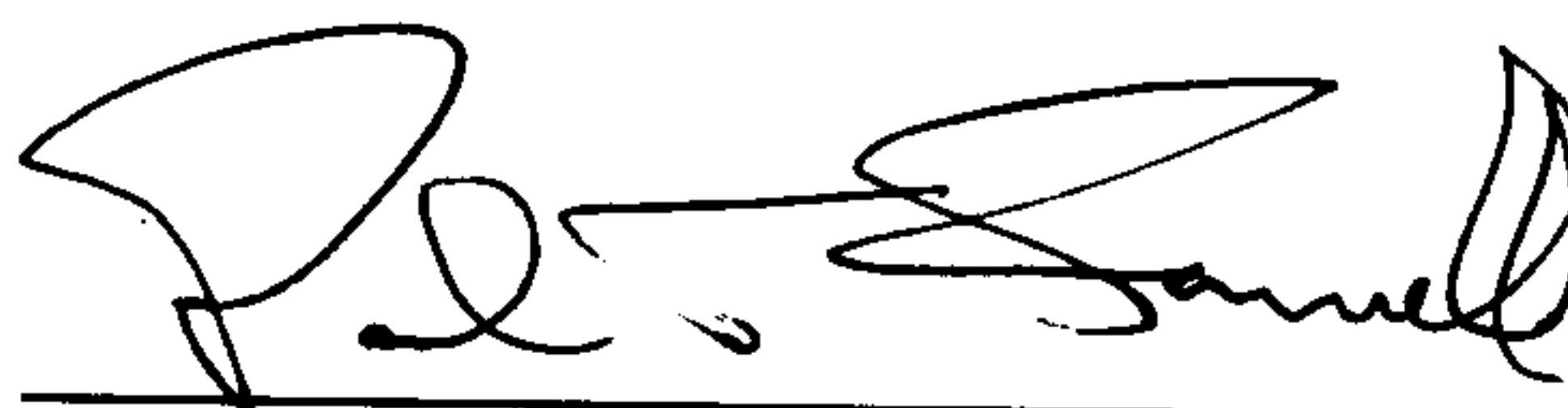
Timothy K. Wilcox, the Court does hereby ORDER, ADJUDGE and DECREE that those matters are hereby dismissed with prejudice.

With regard to the claims of the defendants against Vandalia Capital II, LLC, Ralph Ballard, III, Stephen B. Farmer, David P. Ferretti, Shawn P. George, Mark A. Grimmett, Robert Huggins, Andrew B. Jordan, R. Scott Long, Andrew A. Payne, III, Rooke Asset Partners, LP, Andrew K. Rooke, and Timothy K. Wilcox, and The Woods Development Company, LLC, the Court does hereby ORDER, ADJUDGE and DECREE that those matters are hereby dismissed with prejudice.

The Court does hereby ORDER that it will retain jurisdiction over this matter in the event of a breach of the terms of the agreement between the parties or if further Court intervention is necessary.

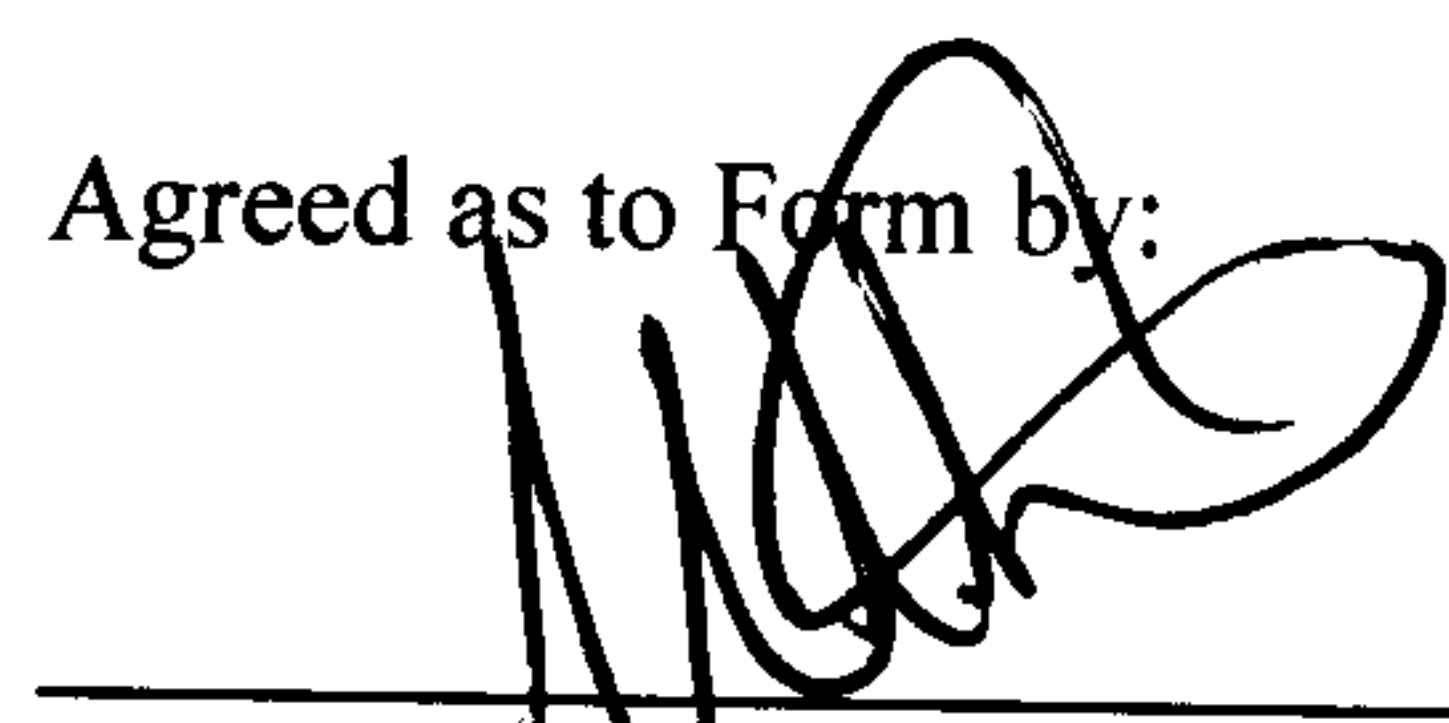
The Clerk is directed to provide certified copies of this Order to all counsel listed herein.

ENTER: 16 day of December, 2016




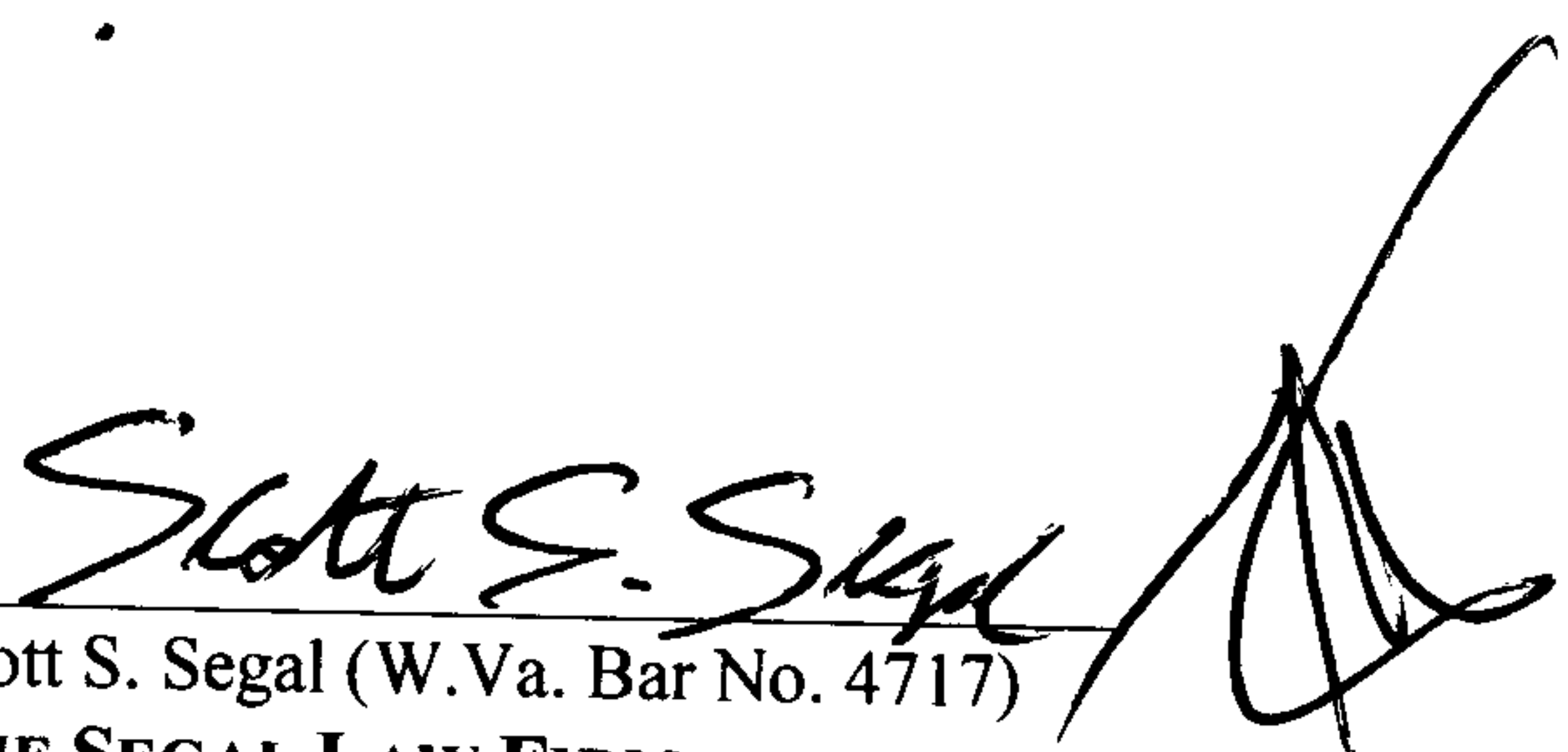
HON. PAUL T. FARRELL
CIRCUIT JUDGE – BUSINESS COURT DIVISION

Agreed as to Form by:



Mark R. Statton (W.Va. Bar No. 5728)
HARTLEY & O'BRIEN, PLLC
The Wagner Building
2001 Main Street, Suite 600
Wheeling, West Virginia 26003
Telephone: (304) 233-0777
Facsimile: (304) 233-0774

12/22/16
Date: 12/22/16
Certified copies sent to:
☒ counsel of record
☐ parties
☐ other
(please indicate)
By: ☒ certified/1st class mail
☐ fax
☐ hand delivery
☐ interdepartmental
Other directed to be accomplished: MS SS BG SK JC

Deputy Circuit Clerk



Scott S. Segal (W.Va. Bar No. 4717)

THE SEGAL LAW FIRM

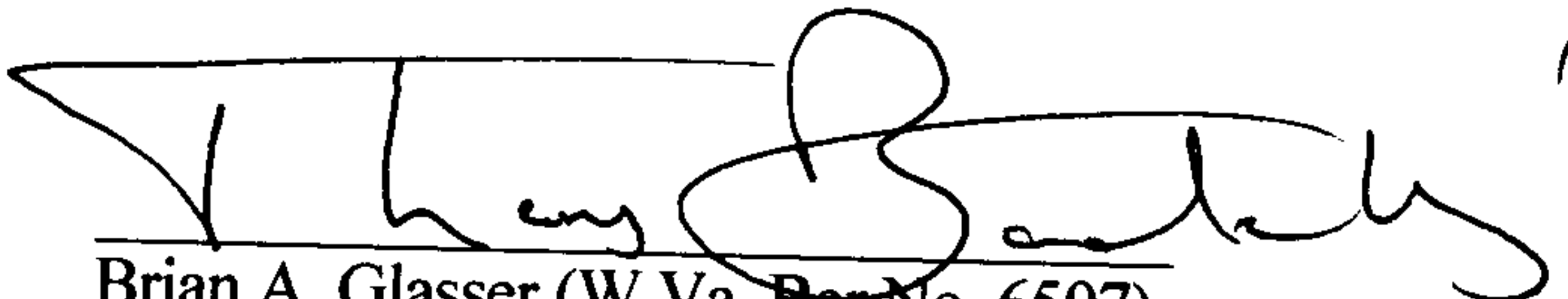
A LEGAL CORPORATION

810 Kanawha Boulevard, East
Charleston, West Virginia 25301

Telephone: (304) 344-9100

Facsimile: (304) 344-9105

Co-Counsel for Plaintiffs



Brian A. Glasser (W.Va. Bar No. 6597)

Thanos Basdekis (W.Va. Bar No. 9832)

BAILEY & GLASSER LLP

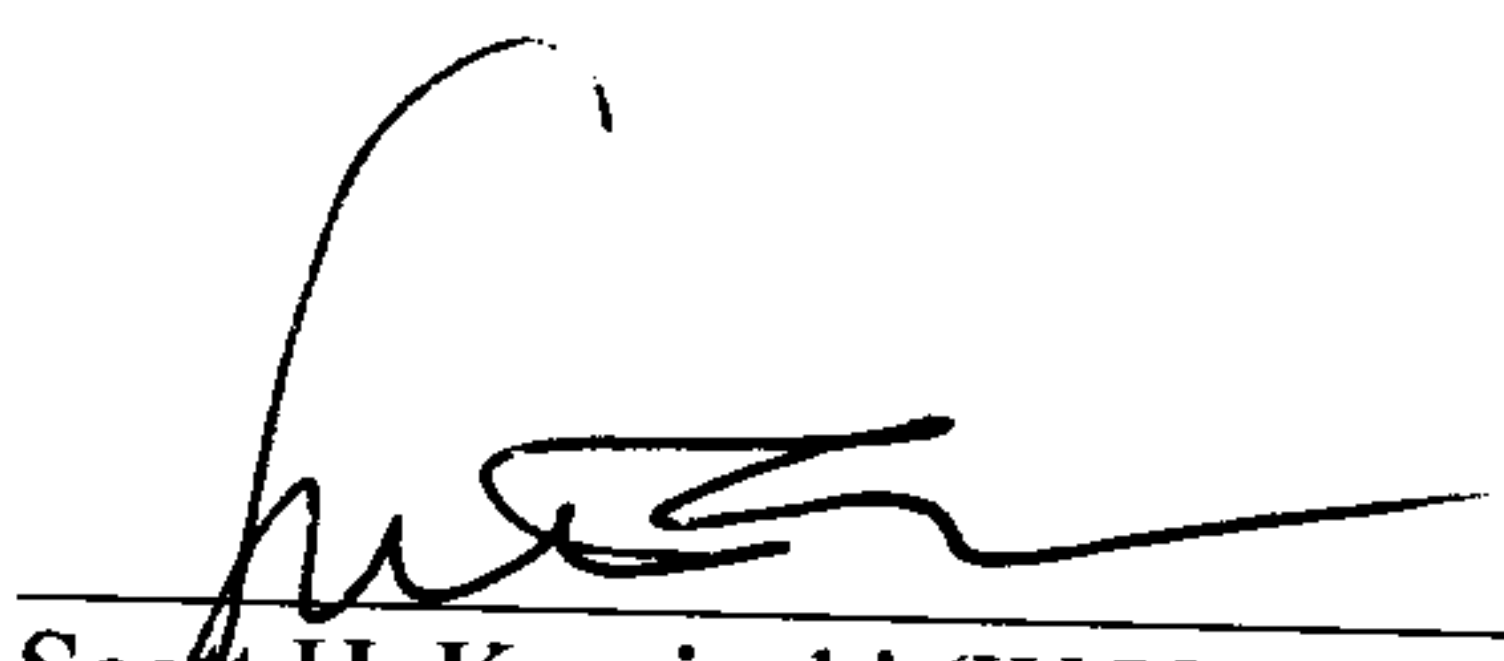
209 Capitol St.

Charleston West Virginia 25301-2210

Telephone: (304) 345-6555

Facsimile: (304) 342-1110

Counsel for the Pray Defendants



Scott H. Kaminski (W.Va. Bar No. 6338)


BALGO & KAMINSKI, LC

P.O. Box 3548

Charleston West Virginia 25335-3548

Telephone: (304) 344-0444

Counsel for The Woods Development Company, LLC



Floyd E. Boone, Jr.

Julia A. Chincheck (W.Va. Bar No. 718)

Floyd E. Boone, Jr. (W.Va. Bar No. 8784)

BOWLES RICE LLP

P.O. Box 1386

Charleston West Virginia 25325-1386

Telephone: (304) 347-1100

Facsimile: (304) 347-1756

Counsel for United Bank, Inc.