

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

CONSOL Energy Inc. dba CNX Gas Company LLC,

Petitioner,

vs).

Civil Action No. 17-C-142

Presiding Judge: Wilkes

**The Honorable DALE STEAGER, WV State Tax Commissioner;
The Honorable JOSEPH R. ROMANO, Assessor of Harrison County;
and the COUNTY COMMISSION OF HARRISON COUNTY, sitting
as the Board of Assessment Appeals,**

Respondents.

RULE 22 ORDER

This matter came before the Court pursuant to the Motion of West Virginia State Tax Department and Assessor Joseph R. Romano to Dismiss for Failure to Timely Perfect Appeal. Finding that this matter should be addressed before the remaining issues are briefed, the Court ORDERS pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

The movant will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Plaintiff and any other parties wishing to file a response shall file a written reply and proposed orders by **August 29, 2017**. The movant may then file a rebuttal memorandum by **September 8, 2017**. Thereafter the Court will rule upon the motion and the record or schedule a hearing if the Court deems necessary.

Any original proposed orders and copies of motions and/or memoranda shall be sent directly to the Judge via Carol.Miller@courtswv.gov with a courtesy copy to both Business.Court@courtswv.gov and Claire.Watson@courtswv.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.

ENTER this 14 day of Aug. 16, 2017.

CHRISTOPHER C. WILKES, JUDGE
BUSINESS COURT DIVISION