<u>/s/ Russell Clawges</u> Circuit Court Judge Ref. Code: 173WPIPR E-FILED | 9/5/2017 4:13 PM CC-02-2013-C-394 Berkeley County Circuit Clerk Virginia Sine

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

BERKELEY COUNTY CIRCUIT CLERK

DAR, LLC, 2017 AUG 28 A 11: 34

Plaintiff, VIRGINIA M. SINE, CLERK

v.

Civil Action No. 13-C-394 Presiding Judge: Russell M. Clawges, Jr. Resolution Judge: James H. Young, Jr.

TRIAD ENGINEERING, INC., et al.,

Defendants.

FIFTH SUPPLEMENTAL ORDER REVISING PRETRIAL SCHEDULING DATES

Came the parties, by counsel, and moved the Court for an extension of the discovery completion and pretrial conference dates. Accordingly, it is hereby **ORDERED** that the Scheduling Order as previously revised be and the same is further revised insofar and insofar only as follows:

Discovery shall be completed by November 17, 2017.

The pretrial conference heretofore scheduled for August 7, 2017, is hereby rescheduled to December 5, 2017, at 11:30 a.m.

The Clerk is directed to send attested copies of this Order to the presiding Judge, the resolution Judge, and to all counsel of record and to the Central Office of the Business Court Division as follows:

> Jeffrey A. Kimble, Esquire Robinson & McElwee LLP Post Office Box 128 Clarksburg, West Virginia 26302-0128

Charles C. Wise III, Esquire Bowles Rice LLP 7000 Hampton Center Morgantown, West Virginia 26505

Ms. Virginia M. Sine, Clerk Berkeley County Circuit Court 380 W. South Street, Ste. 2200 Martinsburg, West Virginia 25401

Central Office of the Business Court Division Attention: Carol A. Miller Berkeley County Judicial Center 380 W. South Street, Suite 2100 Martinsburg, West Virginia 25401

Ungust 24,201 ENTER:

RUSSELL M. CLAWGES, JR., JUDGE

Prepared by:

/s/ Charles C. Wise III Charles C. Wise III [WVSB # 4616] Bowles Rice LLP 7000 Hampton Center Morgantown, West Virginia 26505 Phone: 304-285-2509

Approved by:

/s/ Jeffrey A. Kimble Jeffrey A. Kimble, Esquire [WVSB # 4928] Robinson & McElwee LLP Post Office Box 128 Clarksburg, West Virginia 26302-0128 Phone: 304-622-5022