

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

FILED

2018 APR 26 P 4:47

GATHY S. GATSON, CLERK RC
KANAWHA COUNTY CIRCUIT COURT

J.F. ALLEN CORPORATION

PLAINTIFF,

VS.

**THE SANITARY BOARD OF THE
CITY OF CHARLESTON, and
BURGESS AND NIPLE, INC.**

**CIVIL ACTION NO. 14-C-1182
PRESIDING: JUDGE TABIT
RESOLUTION: JUDGE FARRELL**

DEFENDANTS.

RULE 22 SCHEDULING ORDER

This matter came before the Court pursuant to The Sanitary Board of the City of Charleston's Renewed Motion for Judgment as a Matter of Law Pursuant to Rule 50 of the West Virginia Rules of Civil Procedure, The Sanitary Board of the City of Charleston's Motion for New Trial Pursuant to Rules 49 and 59 of the West Virginia Rules of Civil Procedure, and Defendant Burgess and Niple, Inc.'s Renewed Motion for Judgment as a Matter of Law or in the Alternative Motion for New Trial. Therefore, it is ORDERED pursuant to Rule 22 of the West Virginia Trial Court Rules as follows:

The movants will provide a proposed order (if not already done) and serve a copy upon all non-moving parties. Non-movant(s) shall file written response and proposed orders by **May 11, 2018**. The movants may then file rebuttal memorandum by **May 21, 2018**. Responses and rebuttals shall support any recitation of the evidence with specific citations to the trial transcript.

Any proposed orders and motions and/or memoranda shall be sent directly to the Judge

via Lefha.Goode@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 and any self-represented parties.

ENTER this 27th day of April, 2018.

Joanna S. Tabit
JOANNA TABIT, JUDGE
BUSINESS COURT DIVISION

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT,
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 26th
DAY OF April, 2018.
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA