

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

FILED  
2018 MAY -7 PM 4:30

CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**J. F. ALLEN CORPORATION,**

**PLAINTIFF,**

**VS.**

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

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

**AMENDED RULE 22 SCHEDULING ORDER**

This matter previously 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. Due to a family emergency with the court reporter's family, the time frame order previously entered has been extended. 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 21, 2018**. The movants may then file rebuttal memorandum by **May 31, 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 Letha Goode@courts.wv.gov with a courtesy copy to both Business.Court@courts.wv.gov and Claire.Watson@courts.wv.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 7th day of May, 2018.

*Joanna I. Tabit*  
JOANNA I. TABIT, JUDGE  
BUSINESS COURT DIVISION

Date: 5/9/18  
Certified copies sent to:  
☒ counsel of record  
☐ parties  
☐ other (please indicate)  
By ☒ certified/1st class mail  
☐ fax  
☐ hand delivery  
☐ interdepartmental  
Other directives accomplished:  
[Signature]  
Deputy Circuit Clerk

*Judge Farrell*  
*Bus Ct*  
*CJ*  
*PD*  
*DB*

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 9th  
DAY OF May 2018  
Cathy S. Gatson CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA