

FILED

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

2018 MAY -9 PM 4:55  
CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

STATE OF WEST VIRGINIA, ex rel,  
PATRICK MORRISEY, ATTORNEY  
GENERAL, and THOMAS J. SMITH IN  
HIS OFFICIAL CAPACITY AS SECRETARY  
OF TRANSPORTATION AND COMMISSIONER  
OF HIGHWAYS, WEST VIRGINIA DEPARTMENT OF  
TRANSPORTATION,

Plaintiffs,

vs.

Civil Case No.: 17-C-41 - 209-211  
Presiding: Judge Young  
Resolution: Judge Wilkes

OLDCASTLE, INC., et al.,  
Defendants.

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CITY OF CHARLESTON,  
and all others similarly situated, et al.,  
Plaintiffs,

vs.

Civil Case No.: 16-C-1552(lead) - 424-426  
Presiding: Judge Young  
Resolution: Judge Wilkes

(Consolidated with 16-C-661-B-  
Raleigh; 16-C-337-DS-Mercer; 16-  
C-425-Wood; 16-C-1598-Kanawha;  
16-C-666-Cabell)

WEST VIRGINIA PAVING, INC., et al.,  
Defendants.

ORDER ASSIGNING PRESIDING AND RESOLUTION JUDGE TO CASE

On April 9, 2018, Chief Justice Margaret L. Workman entered an Administrative Order granting a Motion to Refer the above-styled case to the Business Court Division. Pursuant to West Virginia Trial Court Rule 29.07(a), "[a]n order from the Chief Justice granting a Motion to Refer is a transfer of Business Litigation to the Division.

As required by Trial Court Rule 29.07(a), the Division Chair, with the advice and consent of the Division, hereby assigns the Honorable James H. Young, Jr. to serve as the presiding judge in the above-styled case.

The Division Chair further assigns the Honorable Christopher C. Wilkes to serve as the Resolution Judge in the above-styled action.

The Clerk of the Circuit Court of Kanawha County, West Virginia shall forward a certified copy of this order to all counsel of record, any pro se parties and the following:

(Presiding Judge)

The Honorable James H. Young, Jr.  
Wayne County Circuit Court  
PO Box 68  
Wayne, West Virginia 25570

(Resolution Judge)

The Honorable Christopher C. Wilkes  
Berkeley County Judicial Center  
380 W. South Street, Suite 4200  
Martinsburg, West Virginia 25401

Edythe Nash Gaiser, Clerk of Court  
West Virginia Supreme Court of Appeals  
State Capitol Rm E-317  
1900 Kanawha Blvd. East  
Charleston WV 25305

Carol A. Miller, Executive Director  
Business Court Division  
Berkeley County Judicial Center  
380 W. South Street, Ste. 2100  
Martinsburg, West Virginia 25401

Enter: May 9<sup>th</sup> 2018  
5/11/18  
Date: 5/11/18  
Certified copies sent to:  
☒ counsel of record  
☒ parties  
☒ other (please indicate)  
By: ☒ certified/1st class mail  
☐ fax  
☐ hand delivery  
☐ interdepartmental  
Other directives accomplished:  
Deputy Circuit Clerk

*Judge Wilkes*  
*" Young*  
*E. Gaiser*  
*B. Bailey*  
*J. Wilson*  
*C. G. Johnson*  
*R. Goodwin*  
*B. Bailey*

  
CHRISTOPHER C. WILKES, CHAIR  
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 11  
DAY OF May 2018  
Cathy S. Gatson CLERK  
CLERK OF CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

■ Division Judges

■ Christopher C. Wilkes, Chairman  
Russell M. Clawges, Jr.  
James H. Young, Jr.  
Paul T. Farrell  
H. Charles Carl, III  
Joanna I. Tabit  
James A. Matish

**BUSINESS COURT DIVISION**  
**SUPREME COURT OF APPEALS OF WEST VIRGINIA**



BERKELEY COUNTY JUDICIAL CENTER  
380 W. SOUTH STREET, SUITE 2100  
MARTINSBURG, WEST VIRGINIA 25401  
Phone (304)264-1992 • Fax (304)267-3731

Carol A. Miller,  
Executive Director  
carol.miller@courtsww.gov

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CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**FAX COVER SHEET**

To: Cathy S. Gatson, Clerk 304-357-0473

From: Carol A. Miller, Executive Director  
WV Business Court Division

Date: May 9, 2018

Re: *State of West Virginia ex rel Patrick Morrissey, Attorney General,*  
*et al. v. Oldcastle, Inc., et al.*  
Kanawha County Civil Action No. 17-C-41

*City of Charleston v. West Virginia Paving, Inc., et al.*  
Kanawha County Civil Action No. 16-C-1552

No. of Pages including cover sheet: 3

The above-referenced cases have been referred to the Business Court Division. This means that a Judge from the Business Court Division has been assigned to preside over them. You will still be the official record-keeper of the court files, so please continue to process all orders and pleadings as you would in any civil case, but you can close them for time standards.

Please send out attested copies of the attached order as directed and then file the order in the court file.

If you have any questions, please feel free to call me anytime.