

**IN THE CIRCUIT COURT OF WOOD COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

**CHARLESTON DIABETES AND
ENDOCRINE CONSULTANTS,
PLLC, and PRASUNA JAMI, M.D.,**

Plaintiffs,

v.

HIGHMARK WEST VIRGINIA INC.,

Defendant.

**Civil Action No. 16-C-457
Presiding Judge James A. Matish**

NOTICE AND ORDER OF DISMISSAL WITH PREJUDICE


This day came Plaintiffs and Counterclaim Defendants, Charleston Diabetes and Endocrine Consultants, PLLC, and Prasuna Jami, M.D. ("Plaintiffs"), by counsel, and Defendant and Counterclaim Plaintiff, Highmark West Virginia Inc. ("Defendant"), by counsel, and announced to the Court, pursuant to W. Va. R. Civ. P. 41(a)(1)(ii), that all Parties agree to dismiss this civil action with prejudice.

The Court having denied Plaintiffs' motion for class certification by Order dated September 5, 2018, and there being no objection to the dismissal with prejudice of all remaining claims, it is hereby ORDERED that the claims of all Parties set forth in the Amended Complaint and in the Counterclaim of the above-styled action, and all claims related thereto, are dismissed with prejudice and the action is stricken from the docket.

ENTERED
O.B. No. _____
PAGE _____
OCT 18 2018
CAROLE JONES
CLERK CIRCUIT COURT

The Clerk is directed to mail a copy of this Order as entered to counsel of record and to Ms. Carol Miller, Business Court Division Central Office, Berkeley County Judicial Center, 308 W. South Street, Martinsburg, WV 25401.

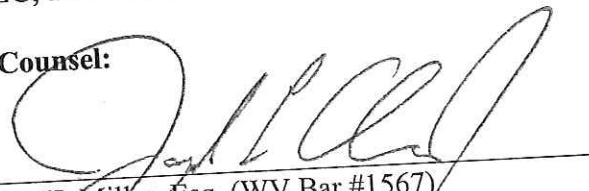
ENTER: 10/15/2018


THE HONORABLE JAMES A. MATISH
JUDGE, CIRCUIT COURT OF HARRISON COUNTY
PRESIDING JUDGE, BUSINESS COURT DIVISION

Presented by:

**CHARLESTON DIABETES AND
ENDOCRINE CONSULTANTS,
PLLC, and PRASUNA JAMI, M.D.,**

By Counsel:


Karen H. Miller, Esq. (WV Bar #1567)
Joseph L. Amos, Jr., Esq. (WV Bar #11956)
MILLER & AMOS, ATTORNEYS AT LAW
2 Hale Street
Charleston, West Virginia 25301
Telephone: (304) 343-7910
Facsimile: (304) 343-7915

And

Scott S. Segal, Esq. (WV Bar #4717)
Jason P. Foster, Esq. (WV Bar #10593)
C. Edward Amos, II, Esq. (WV Bar #12362)
THE SEGAL LAW FIRM
A Legal Corporation
810 Kanawha Boulevard, East
Charleston, West Virginia 25301
Telephone: (304) 344-9100
Facsimile: (304) 344-9105

STATE OF WEST VIRGINIA
COUNTY OF WOOD, TO-WIT:

I, CAROLE JONES, Clerk of the Circuit Court of Wood County, West Virginia, hereby certify that the foregoing is a true and complete copy of an order entered in said Court, on the 18 day of Oct, 2018, as fully as the same appears to me of record.

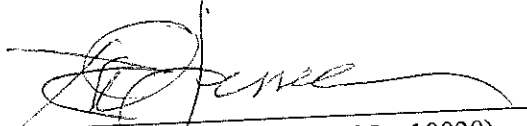
Given under my hand and seal of said Circuit Court, this the 18 day of Oct, 2018

Carole Jones
Clerk of the Circuit Court of
Wood County, West Virginia

By: [Signature], Deputy

HIGHMARK WEST VIRGINIA INC.

By Counsel:

A handwritten signature in black ink, appearing to read "Russell D. Jesse", written over a horizontal line.

Russell D. Jesse (W. Va. Bar No. 10020)
J. Zachary Balasko (W. Va. Bar No. 12954)

STEPTOE & JOHNSON PLLC

Chase Tower, Seventeenth Floor

P.O. Box 1588

Charleston, WV 25326-1588

Telephone: (304) 353-8000

Facsimile: (304) 353-8180