

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

**FILED**  
2018 NOV 13 AM 8:33  
CATHY S. GATSON, CLERK  
KANAWHA COUNTY CIRCUIT COURT

**VANDALIA CAPITAL, II, LLC, et al.,**

**Plaintiff,**

**VS.**

**CASE NO. 13-C-570**

**PRESIDING JUDGE: JAMES H. YOUNG, JR.**

**RESOLUTION JUDGE: RUSSEL M. CLAWGES, JR.**

**DAVID P. PRAY, individually, and  
As Trustee for the DAVID P. PRAY  
REVOCAABLE TRUST; DAVID P.  
PRAY REVOCABLE TRUST; AND  
JOHN/JANE DOE,**

**Defendants,**

**VS.**

**THE WOODS DEVELOPMENT COMPANY, LLC,**

**Third-Party Defendant.**

**AMENDED ORDER**

On November 5, 2018, this matter came on for a telephonic status conference, and the Court, being of the opinion to schedule this matter for trial, does hereby **ORDER** the following schedule in the above-styled civil action, which shall not be modified except by leave of this Court:

1. **DISCOVERY COMPLETION DATE: January 18, 2019**
2. **DISPOSITIVE MOTIONS:** Shall be filed by **February 1, 2019** and all responses to the dispositive motions shall be filed by **February 8, 2019**.
3. **PRE-TRIAL CONFERENCE DATE: February 15, 2019, at 1:30 p.m.**, which will be held in the Wayne County Circuit Court.
4. **TRIAL DATE: March 4, 2019, at 9:00 a.m.**, which will be held in the Kanawha

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County Circuit Court.

Further, Plaintiff desired to file a motion on the issue of the parties' right to a jury trial on the factual issues. Plaintiff may have until **November 16, 2018** to file any Memorandum in Support of its position and the Defendant shall have until **November 30, 2018** to respond.

All, accordingly, which is **ORDERED** and **DECREED**.

Enter this 9 day of November, 2018.

ORDER  
ENTER:

*James H. Young, Jr.*  
Judge James H. Young, Jr.

Date: 11/13/18  
Certified copies sent to:  
☒ counsel of record  
☐ parties  
☐ other (please indicate)  
By: ☒ certified/1st class mail  
☐ fax  
☐ hand delivery  
☐ interdepartmental  
Other directives accomplished: *K. Allen*  
Deputy Circuit Clerk

*Bus Co*  
*Judge Young*  
*S. Kaminski*  
*G. Boone*  
*S. Annand*  
*M. Stana*

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, SS  
I, CATHY S. BATSON, 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 13  
DAY OF Nov 2018  
*Cathy S. Batson* CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA