

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

VANDALIA CAPITAL II, LLC, et al.,

Plaintiffs,

v.

Civil Action No. 13-C-570

Presiding Judge: Paul T. Farrell/
James H. Young, Jr.

DAVID P. PRAY, et al.

Defendants.

ORDER

The parties came before this Court on February 7, 2019 for a hearing on the Defendants' Emergency Motion to Reopen Discovery and Amend Scheduling Order. Having heard argument on this matter, the Defendants' Emergency Motion is hereby DENIED. The Court has determined that the events described in Defendants' Emergency Motion occurring in January 2019 are not sufficiently relevant under Rule of Evidence 401 to be admissible on the matters set forth to be tried before a jury on March 4, 2019. Therefore, there is no need to amend the Scheduling Order or reopen discovery in this matter on the issues addressed by the Emergency Motion.

The objections and exceptions of the parties aggrieved by this ruling are hereby preserved.

The clerk is directed to send a copy of this Order to all counsel of record.

Enter this 11 day of Feb, 2019.

ORDER

ENTER: James H. Young, Jr.

HONORABLE JAMES H. YOUNG, JR.

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 Feb 2019
Cathy S. Batson, Clerk
CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Date: 2/13/19
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 Charles
Bus Ct
M. Hawn
J. Boone
S. Kameniski
K. George

{R1405847.1}

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Vandalia Capital II, LLC, et al vs. David P. Pray, et al. vs. The Woods Development Company, LLC, Business Court Case, Civil Action No. 13-C-570, Kanawha County

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Resolution Judge:

***The Honorable Russell M. Clawges, Jr.
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***Business Court Division
West Virginia Supreme Court of Appeals
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