

2-26-19
M Dellinger
A Spitz

**BUSINESS COURT DIVISION – WEST VIRGINIA SUPREME COURT OF APPEALS
IN THE CIRCUIT COURT OF HARRISON COUNTY, WEST VIRGINIA**

D Scudiere

**COMMUNITY CARE OF
WEST VIRGINIA, INC.**

M Shaffer

Judge Farrell

Business Ct Div.

Plaintiff,

Civil Action No. 17-C-318

Presiding Judge: Paul T. Farrell

Resolution Judge: H. Charles Carl, III

v.

**FRONTIER COMMUNICATIONS OF
AMERICA, INC.,
its parents, subsidiaries, and affiliates;
FRONTIER WEST VIRGINIA, INC.;
CITIZENS TELCOM SERVICES COMPANY, LLC;
CITIZENS TELECOMMUNICATIONS OF
WEST VIRGINIA;
TAMCO CAPITAL CORPORATION,
its parents, subsidiaries, and affiliates;
ANTHONY ROME; and
MICHAEL SHAFFER,**

Defendants.

**ORDER FOLLOWING FEBRUARY 26, 2019 PHONE CONFERENCE
AND
ORDER SETTING MEDIATION DATE**

On February 26, 2019, this matter came on for a conference call to schedule mediation, upon the appearance of Arie M. Spitz, counsel for Plaintiff; Mark H. Dellinger and Alexandra M. Kitts, counsel for Defendants Frontier Communications of America, Inc. and Anthony Rome; and Debra H. Scudiere, counsel for TAMCO Capital Corporation.

Counsel advised that the *Amended Complaint* was inadvertently not filed and, therefore, it will need to be filed and then served upon Intelisys Communications, Inc.

Counsel and the Court agreed to schedule what the Court is referring to as a “universal mediation” and, after Intelisys is in the case, if it has issue with the universal mediation date,

then Intelisys can bring such issue to the Court's attention.

The Court advised counsel for TAMCO and counsel for the Plaintiff that if they would like a separate mediation to attempt to resolve their issues, the Court can accommodate them with a separate mediation date.

WHEREFORE, the Court does hereby **ADJUDGE** and **ORDER** that a conference call shall be conducted on **Friday, May 3, 2019, at 10:00 a.m.** for the purpose of a pre-mediation status conference. Counsel shall use the LeaderPhone system by calling:

Phone Number: 1-877-278-2734

Pin Number: 333017

It is further **ORDERED** that the Court shall conduct a universal mediation on **Tuesday, May 28, 2019, at 9:00 a.m.** at the office of Debra Scudiere, Kay Casto & Chaney PLLC, 1085 Van Voorhis Road, Morgantown, WV 26505.

The Court directs the Circuit Clerk to enter the foregoing and forward an attested copy to Resolution Judge Paul T. Farrell, Cabell County Courthouse, 750 Fifth Avenue, Huntington, WV 25701; the Business Court Division Central Office, Berkeley County Judicial Center, Suite 2100, 380 West South Street, Martinsburg, WV 25401; all counsel of record; and any *pro se* parties. .

ENTERED this 26th day of February, 2019.

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

I, Albert F. Marano, Clerk of the 15th Judicial Circuit and the 18th Family Court Circuit of Harrison County, West Virginia, hereby certify the foregoing to be a true copy of the ORDER entered in the above styled action on the 26 day of Feb, 2019.

IN TESTIMONY WHEREOF I hereunto set my hand and affix the Seal of this Court this the 26 day of Feb, 2019.

Albert F. Marano
Albert F. Marano
15th Judicial Circuit & 18th Family Court Circuit Clerk
of Harrison County, West Virginia



H. CHARLES CARL, III, RESOLUTION JUDGE
BUSINESS COURT DIVISION