

CIRCUIT CLERK
NICHOLAS COUNTY, WV

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

MICHAEL D. HARLOW
Plaintiff,

V.

CIVIL ACTION NO. 17-C-149
PRESIDING JUDGE: JAMES H. YOUNG, JR.
RESOLUTION JUDGE: PAUL T. FARRELL

EASTERN ELECTRIC, LLC,
Defendant.

ORDER ON DISCOVERY MOTIONS

On February 19, 2019, Plaintiff appeared by counsel, Robert P. Dunlap, Esq., and Defendant appeared by counsel, John D. Hoblitzell, III, Esq., all for a hearing on Plaintiff's Motion to Compel Discovery filed December 14, 2018 ("Motion to Compel") and on Defendant's Motion to Quash Subpoenas Duces Tecum to McGriff Insurance Services, Construction Services Express Travelers, and Travelers Casualty & Surety Company of America filed on December 21, 2018 ("Motion to Quash"). The Court having considered the arguments of counsel, reviewed the motions, responses and replies filed herein, along with the accompanying documents, hereby finds that Plaintiff's Motion to Compel Discovery is GRANTED IN PART only as it pertains to documents in the possession of, records maintained by, Defendant Eastern Electric, LLC (nka Eastern Group, LLC) with regard to Sustainable Modular and Brookfield. All other matters within the Motion to Compel are DENIED.

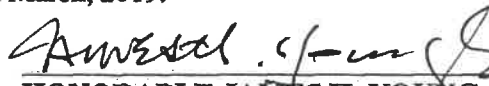
Plaintiff, counsel, and any expert whose findings will be proffered shall have access during regular business hours to inspect all documents as they pertain to work performed by Defendant for Sustainable Modular and Brookfield (including all relevant Brookfield entities including but not limited to Hawks Nest Hydro, LLC, Brookfield Renewable Partners LP, and Brookfield Asset Management) for the time period extending from 2012 through Plaintiff's dissociation on April 14, 2017, which will include time sheets, expense reports, customer and

vendor invoices, and other documents generated after April 14, 2017 that pertain to work performed through April 14, 2017. Ten (10) day prior notice shall be given to Defendant for said inspection.


With regard to Defendant's Motion to Quash, the Court finds that the subpoenas were issued outside of the time frame provided for discovery in this matter. Therefore the Court hereby GRANTS Eastern Electric, LLC's Motion to Quash.

The Clerk is directed to mail copies of this Order all parties of record.

Entered this the 20 day of March, 2019.

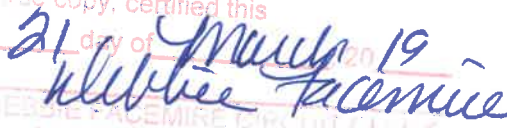


HONORABLE JAMES H. YOUNG, JR.

Prepared by:


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True copy, certified this
21 day of March 2019

JESSIE FACEVINE CIRCUIT CLERK
Nicholas County Circuit Court
Summersville, WV 26051
By  Deputy