

FILED
OCT 15 PM 12:15
JOSEPH M. RUCK

IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA
Business Court Division

SWN PRODUCTION COMPANY, LLC,

Petitioner,

vs.

No. 18-C-8

Presiding Judge: James H. Young, Jr.

THE HONORABLE DALE STEAGER
West Virginia State Tax Commissioner,
THE HONORABLE CHRISTOPHER KESSLER,
Assessor of Marshall County, and
THE COUNTY COMMISSION OF MARSHALL COUNTY,
Sitting as a Board of Assessment Appeals,

Respondents.

ORDER

On the 1st day of October 2019, this matter came before the Court for a telephonic status conference. Petitioner appeared at the hearing through counsel, John J. Meadows, Esq. and Craig A. Griffith, Esq. Defendants and related-action defendants appeared at the hearing through counsel, Donald J. Tennant, Jr., Esq., Timothy E. Haught, Esq. and Jonathan Nicol, Esq. The State Tax Commission appeared at the hearing through counsel, L. Wayne Williams, Esq.

The Court **ORDERS** that Petitioner shall identify to the West Virginia State Tax Department by October 15, 2019, all wells which must be re-valued for the 2017 TY based on the WV Supreme Court decision in *Steager v. CONSOL Energy, Inc.*, 832 SE 2d 135 (2019). The Tax Department is **ORDERED** to re-value those wells and to advise all parties of the revised valuations by October 31, 2019.

Further, the Court **ORDERS** that the parties shall file any motions for summary judgment no later than **December 2, 2019**, with replies due for filing by **December 16, 2019**, and the Court would determine at a later time whether a hearing on the matter is warranted.

The Clerk of the Circuit Court is directed to transmit a true copy of this ORDER to all parties and counsel of record in this matter.

All accordingly which is ORDERED and DECREED.


Enter this 10 day of October, 2019.

ORDER
ENTER:


HONORABLE JAMES H. YOUNG, JR.

A Copy Teste:

Joseph M. Rucki, Clerk

By  Deputy

SWN Production Company vs. The Honorable Dale Steager, West Virginia State Tax Commissioner, The Honorable Christopher J. Kessler, Assessor of Marshall County and The County Commission of Marshall County, Sitting as Board of Assessment Appeals., Business Court Case, Civil Action No. 18-C-8, Marshall County

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Business Court Division

West Virginia Supreme Court of Appeals

Berkeley County Judicial Center

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