

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

**BB LAND, LLC, a West Virginia company,
and JB EXPLORATION 1, LLC, a
West Virginia Company,**

Plaintiffs,

v.

**Civil Action No. 18-C-2
Hon. Michael D. Lorensen, Presiding Judge
Hon. H. Charles Carl, III, Resolution Judge**

**BLACKROCK ENTERPRISES, LLC,
a West Virginia Limited Liability Company, and
MICHAEL L. BENEDUM,**

Defendants, et al.

**Order Regarding Mediation and
Other Method of Dispute Resolution**

Plaintiffs BB Land, LLC and JB Exploration 1, LLC (the "Plaintiffs") and Third-Party Defendants Jay-Bee Production Company and Jay-Bee Oil & Gas, Inc. (the "Third-Party Defendants"), by counsel, and Defendant/Third-Party Plaintiff Blackrock Enterprises, LLC ("Blackrock") and Defendant Michael L. Benedum ("Benedum"), by counsel, appeared before the Court on October 4, 2019 for a hearing pursuant to the Court's September 9, 2019 Second Order Regarding Mediation or Other Method of Dispute Resolution. Ms. Ronda L. Harvey and Mr. Evan G. Conard, of Bowles Rice, LLP, appeared telephonically on behalf of Plaintiffs and Third-Party Defendants; Mr. Brian R. Swiger, of Bailey & Glasser, LLP, appeared telephonically on behalf of Blackrock and Benedum.

The Court informed counsel that the Honorable Shawn D. Nines, of the Nineteenth Judicial Circuit, was recently appointed to the Business Court Division. The Court also advised counsel of Judge Nines's prior experience in the oil and gas industry, which the Court believed

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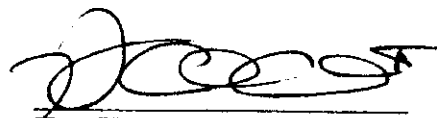
**WILLIE FARMER, CLERK
CIRCUIT COURT CLERK
PLEASANTS COUNTY**

would be of assistance to the parties during the Court's mediation conference on November 12, 2019. Counsel agreed that Judge Nines's participation at the Court's mediation conference would be of assistance to the parties, and counsel made no objection to Judge Nines attending the November 12, 2019 mediation on the Court's behalf.

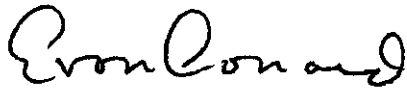
Thereafter, counsel notified the Court that the case would not be ripe for mediation on November 12, 2019. Counsel for the respective parties agreed to diligently pursue discovery, and Mr. Swiger indicated that Blackrock/Benedum would be filing a motion to continue discovery-related deadlines, and, if necessary, the trial date, currently scheduled for March 2, 2020. Ms. Harvey indicated that Plaintiffs/Third-Party Defendants preferred the March 2, 2020 trial date and would oppose Blackrock's/Benedum's motion to continue.

Upon consideration of counsels' statements, the Court **ORDERED** and **ADJUDGED** that the November 12, 2019 mediation conference be cancelled. The Court further **ORDERED** that the Court's December 20, 2019 mediation deadline be suspended pending the filing of Blackrock's/Benedum's motion to continue. Lastly, the Court directed the Clerk of Court for the Circuit Court of Pleasants County, West Virginia to send certified copies of this Order to all parties of record.

ENTERED this 5 day of November, 2019.


Hon. H. Charles Carl, III, Judge

Prepared by:



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