/s/ Christopher Wilkes Circuit Court Judge Ref. Code: 20W6ILZL E-FILED | 4/8/2020 11:05 AM CC-02-2013-C-394 Berkeley County Circuit Clerk Virginia Sine

In the Circuit Court of Berkeley County, West Virginia

| DAR, LLC, |) |
|--------------------------|-----------------------------|
| Plaintiff, |) |
| vs.) |) Case No. CC-02-2013-C-394 |
| TRIAD ENGINEERING, INC., |) |
| KAREN L. KRABILL, P.E., |) |
| LYDIA WORK, |) |
| Defendants |) |

ORDER CONTINUING BENCH TRIAL

On a previous day came the parties, by counsel, and asked this Court to continue the bench trial set in this matter due to the COVID-19 pandemic. As an initial matter, at a status hearing in this civil action held on October 29, 2019, this matter was scheduled for bench trial before the undersigned in the Morgan County Courthouse, Berkeley Springs, West Virginia on April 28, 2020.

The Court, considering the parties' agreed request for continuance and the April 3, 2020 Amended Order Regarding Judicial Emergency, which suspends non-emergency in-person proceedings until May 1, 2020, finds it must CONTINUE the bench trial set in this matter for April 28, 2020. This Court hereby ADJUDGES and ORDERS that this bench trial be continued until a later date. A new trial date will be forthcoming.

Further, the Court extends the date by which Defendant may file a Response to Plaintiff's Motion for Summary Judgment. The Court hereby ORDERS that any Response to the Motion for Summary Judgment must be filed within twenty (20) days of the entry of this Order and any Reply must be filed within ten (10) days thereafter. Further, counsel for Plaintiff is to report as to the parties' readiness for trial on the first of every month until further order from this Court.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record.

Enter: April 8, 2020

<u>/s/ Christopher Wilkes</u> Circuit Court Judge 23rd Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.