

**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,

vs.

**Civil Action No.: 18-C-2
Presiding: Judge Lorensen
Resolution: Judge Wilkes**

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

Defendants.

ORDER

This matter came before the Court this 14th day of June 2022. On May 9, 2022, this Court entered an Order Appointing Substitute Commissioners. It has come to the attention of the Court that the duly appointed competent Land Commissioners are in need of further instruction regarding this matter. Considering this matter is not a typical condemnation or partition case, the Court finds and concludes that more detailed and specific instructions are needed.

The Court hereby DIRECTS counsel to confer and submit an agreed proposed order to the undersigned which will further clarify and further instruct the Land Commissioners regarding their duties in fixing the value of the undeveloped lease interests in furtherance of the disposition of the undeveloped lease interests under Chapter 37 of the West Virginia Code in this case. This may include identification of the unexpired undeveloped lease interests remaining.

The Court notes the Final Judgment Order, entered April 25, 2022, ordered that the land commissioners complete their final valuation within ninety (90) days of the entry of that Order. Given the need for substitute commissioners to be appointed, and the need for further instruction, the Court hereby VACATES that deadline. Instead, the Land Commissioners shall fix the value of the undeveloped acreage, and submit a report to the undersigned within ninety (90) days of the entry of the agreed proposed order containing further instruction.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel and any *pro se* parties of record, to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401, as well as a copy to the Special Commissioners.



JUDGE MICHAEL D. LORENSEN
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION