

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

COMMUNITY CARE OF WEST VIRGINIA, INC.,

Plaintiff,

v.

**CIVIL ACTION NO. 17-C-318
Presiding Judge: Shawn D. Nines
Resolution Judge: David M. Hammer**

2-27-2023
D. Earl
J. Mahoney
A. Spitz
M. Oestling
A. Kitts
J. Dumm
M. Elshahy
T. Farmer

**FRONTIER COMMUNICATIONS OF
AMERICA, INC., its parents, subsidiaries, and
affiliates; TAMCO CAPITAL CORPORATION,
its parents, subsidiaries, and affiliates;
ANTHONY ROME; and
MICHAEL SHAFFER,**

Defendants.

**ORDER GRANTING MOTION TO LIFT BANKRUPTCY STAY AND SETTING
SCHEDULING CONFERENCE**

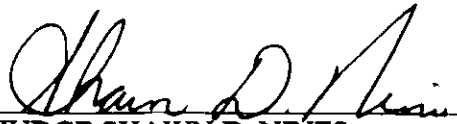
On February 24, 2023 the Court held a hearing on Plaintiff, Community Care of West Virginia, Inc.'s ("CCWV") Motion to Lift Bankruptcy Stay. The parties appeared by counsel, with the exception of Defendant Shaffer, who is now deceased.

After reviewing the responses and hearing the discussion of counsel, the Court finds good cause to grant the motion. The bankruptcy stay is hereby lifted.

A Scheduling Conference will be held on March 20, 2023 at 11:30 am via TEAMS. If, prior to that date, the parties are able to reach an agreement and submit a proposed Scheduling Order, then the Scheduling Conference will be canceled.

The Clerk shall enter the foregoing and forward attested copies hereof to all counsel of record, and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTERED this 27th day of February, 2023


JUDGE SHAWN D. NINES
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION

Prepared by:

/s/ Arie M. Spitz

Daniel A. Earl (WVSB # 6025)
John H. Mahaney (WVSB # 6993)
Arie M. Spitz (WVSB # 10867)
DINSMORE & SHOHL LLP
P.O. Box 11887
Charleston, West Virginia 25339-1887
Telephone: (304) 357-0900
Facsimile: (304) 357-0919
Email: daniel.earl@dinsmore.com
Email: john.mahaney@dinsmore.com
Email: arie.spitz@dinsmore.com

Reviewed and approved by:

/s/ Mark H. Dellinger

Mark H. Dellinger (WVSB #7703)
Alexandra M. Kitts (WVSB #12549)
Jackson Kelly PLLC
500 Lee Street, East, Suite 1600
Post Office Box 553 (25322)
Charleston, West Virginia 25301
Telephone: (304) 340-1000
Facsimile: (304) 340-1080
mark.dellinger@jacksonkelly.com
akitts@jacksonkelly.com
**Counsel for Frontier Communications of
America, Inc.,**

**Frontier West Virginia Inc., Citizens
Telecom Services
Company L.L.C., Citizens
Telecommunications of West
Virginia, and Anthony Rome**

Reviewed and approved by:

/s/ Teresa J. Dumire

Teresa J. Dumire, Esq. (WVSB #8032)
Matthew D. Elshiaty, Esq. (WVSB #12535)
KAY CASTO & CHANEY PLLC
150 Clay Street, Suite 100
Morgantown, WV 26501
Telephone: (304) 225-0970
tdumire@kaycasto.com
melshiaty@kaycasto.com

Thomas R. Farrior, Esq. (admitted *pro hac
vice*)
MacFarlane Ferguson & McMullen
PO Box 1531
Tampa, FL 33601
Telephone: (813) 273-4200
trf@macfar.com
Counsel for TAMCO Capital Corporation