

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

**DEBRA BISHOP, as Executor of the Estate of Dallas
Runyon, and DAVID E. RUNYON,**

Plaintiffs,

v.

**Civil Action No.: 17-C-108
Presiding Judge Akers
Resolution: Judge Wilkes**

**CITIZENS TELECOMMUNICATIONS COMPANY
OF WEST VIRGINIA d/b/a FRONTIER COMMUNICATIONS
OF WEST VIRGINIA, and FRONTIER WEST VIRGINIA, INC.,**

Defendants.

BRIEFING SCHEDULE ORDER

On January 30, 2023, this Court held a scheduling conference in which this Court set the trial date for this proceeding for April 3, 2023, and the pre-trial conference date for March 30, 2023. The Parties' Motions in Limine will be heard by this Court at the pretrial conference. The Order Setting Trial did not set a deadline for these Motions in Limine, nor a deadline for the Responses and Replies.

On February 6, 2023, Defendant Frontier filed five (5) Motions in Limine for this Court to consider. Defendant Frontier now moves for a Briefing Schedule to be entered requiring Plaintiff's Responses to Defendant Frontier's Motions in Limine be due March 10, 2023, and Defendant Frontier's Replies to Plaintiff's Responses to this Court be due March 20, 2023. Plaintiffs assert they will follow the Trial Court Rules regarding timing, providing that pleadings shall be filed no later than forty-eight (48) hours before the hearing. While this Court agrees with Defendant Frontier that a Briefing Schedule would be helpful in providing enough time for

Frontier to file Replies to Plaintiffs' Responses and for this Court to review the Parties' filings, this Court determines that the Plaintiffs should be given more time to file Responses than proposed by Defendant Frontier. Pursuant to Rule 16(b) of the West Virginia Rules of Civil Procedure, this Court has discretion over scheduling.

For the foregoing reasons, this Court **ORDERS** that Plaintiffs' Responses to Defendant Frontier's Motions in Limine be filed no later than **Monday, March 20, 2023**. Defendant Frontier may file Replies to Plaintiffs' Responses no later than **Friday, March 24, 2023**. Each Response and Reply shall be filed with the Clerk of the Circuit Court, and copies served upon the parties.

All Response and Replies shall be sent directly to the Court via Kim.Gregory@courtswv.gov with a courtesy copy to Business.Court@courtswv.gov, Tessa.Bowers@courtswv.gov, Carol.Miller@courtswv.gov, and Grace.Morris@courtswv.gov.

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

ENTERED this 8th day of March 2023.

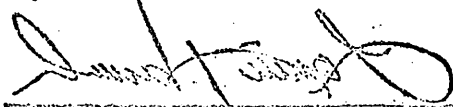

JUDGE MARYCLAIRE AKERS
West Virginia Business Court Division

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CIRCUIT CLERK, MINGO COUNTY, WV

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