

In the Circuit Court of Marion County, West Virginia

**American Bituminous Power
Partners, LP,**
Plaintiff,

v.

Case No. CC-24-2018-C-130
Judge Michael Lorensen

**Horizon Ventures of West Virginia,
Inc.,**
Defendant

Order Setting Bench Trial

This matter comes before the Court this 12th day of July 2023, upon a letter to the undersigned contained in the case file.

IT APPEARING that the parties agree to a bench trial in this matter (see, case file, 6/9/23 and 6/21/23), the Court hereby converts the jury trial set to begin October 10, 2023 at 9:00 a.m. to a bench trial set to begin on the same date and time. All other relevant instructions and deadlines from this Court's prior Scheduling Order and Day Order From May 12, 2023 Status Conference and Order Setting Trial and Pretrial Conference remain in full force and effect.

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

ENTER: July 12, 2023

/s/ Michael Lorensen
Circuit Court Judge
16th 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.