

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, WEST VIRGINIA

SUSAN H. HUNNICUTT,

Plaintiff,

v.

INTER-STATE HARDWOODS, INC.,
LARRY S. BARGER, and
KRISTIN L. HUNNICUTT,

Defendants.

Civil Action No. 22-C-15
(Judge Wilmoth)

CLERK OF COURT
RANDOLPH COUNTY, WV
2022 APR 15 11:51
COURT CLERK'S OFFICE

ORDER DENYING MOTIONS TO DISMISS

On April 11, 2022, Plaintiff, by her Counsel, Jonathan G. Brill, Defendant, Inter-State Hardwoods, Inc., by its Counsel, Buddy Turner, Defendant Kristin L. Hunnicutt, by her Counsel, Allison J. Farrell, and Defendant, Larry S. Barger, in person and *pro se*, appeared pursuant to a notice of hearing and Order setting the matter for hearing on *Defendant Inter-State Hardwood's Motion to Dismiss Complaint*, Defendant, Kristin L. Hunnicutt's *Motion to Dismiss with Integrated Memorandum of Law*, and Defendant, Larry S. Barger's motion to dismiss. Prior to commencement of the hearing, the Court considered the motions, briefs, and responses of the parties.

The Court proceeded to hear argument of counsel and Mr. Barger, all of which is set forth upon the record this day. Based thereon, upon the briefs and motions submitted, and for the reasons set forth upon the record, the Court ORDERS and ADJUDGES that Defendants' motions to dismiss shall be and are hereby DENIED. The Court's ruling with regard to the motions to dismiss shall not be construed to preclude any party from filing a subsequent, dispositive motion as the case is more fully developed through the discovery process. The Court notes and saves all of the Defendants' objections.

ATTACHMENT 4

After ruling upon the motions, the Court considered trial scheduling, all of which is set forth upon the record and will be contained in a separate order.

Nothing further to be done, this matter is continued in accordance with the trial scheduling order to be entered in this case.

ENTERED on ^{May} ~~April~~ 5, 2022.

ENTER: 
HONORABLE DAVID H. WILMOTH,
CIRCUIT COURT JUDGE

ENTERED

MAY 05 2022

Philip D. Riggleman, Clerk

cc -
Brill
Ahnert
McDaniel
Turner
McMillan
Tyree
Barker
Parrell