

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**Greenbrier Hotel Corporation, a West Virginia corporation; and The Greenbrier Sporting Club, Inc., a West Virginia corporation,
Plaintiffs**

vs. Civil Action No. 15-C-562 (Kanawha County)

**Marsh & McLennan Agency LLC, a limited liability company; Thomas Rutherford, Inc., a Virginia corporation; Rutherford International, Inc., a Virginia corporation; Rutherford Financial Services, Inc., a Virginia corporation; Rutherford Benefit Services, Inc., a Virginia corporation; Benefit Assistance Corporation, a West Virginia corporation; Romeo Consulting, Inc.; and Richard Romeo,
Defendants**

The Chief Justice of the Supreme Court of Appeals has been advised that Defendants Marsh & McLennan Agency LLC, Thomas Rutherford, Inc., Rutherford International, Inc., Rutherford Financial Services, Inc., and Rutherford Benefit Services, Inc., by counsel, Jeffrey M. Wakefield, Keith R. Hoover, and the law firm of Flaherty Sensabaugh & Bonasso, PLLC, have filed a motion to refer the above-styled action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR").

Upon careful review and consideration of the motion, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The mere fact that the action involves an individual does not, of itself, exclude the case from eligibility. The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Tod J. Kaufman, Judge of the Thirteenth Judicial Circuit; and to the Clerk of the Circuit Court of Kanawha County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: JULY 29, 2015


MARGARET L. WORKMAN
Chief Justice