

**PHILIP “MARK” FETTY and  
PAULA N. FETTY,  
Plaintiffs,**

**v.**

**WVSC Docket No. 23-660  
Harrison County Circuit Court  
Civil Action No. 23-C-167  
(Judge Thomas A. Bedell)**

**BENEDUM AIRPORT AUTHORITY,  
A West Virginia corporation;  
WOLFE’S EXCAVATING, LLC, a  
West Virginia limited liability company;  
THE THRASHER GROUP, INC., a West Virginia  
Corporation; and JOHN DOE PERSONS  
AND/OR ENTITIES,  
Defendants.**

**JOINT RESPONSE OF ALL PARTIES IN SUPPORT OF “JUDICIAL MOTION  
TO REFER CASE TO THE BUSINESS COURT DIVISION”**

NOW COME the Plaintiffs and all Defendants, by and through their undersigned counsel, and hereby notify the Court that they do support the referral of this civil action to the Business Court Division and join the “Judicial Motion to Refer Case to the Business Court Division” previously filed by Judge Bedell in this civil action.

Respectfully Submitted By All Parties  
By Counsel

Jointly Submitted By:

/s/ Chad C. Groome  
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**IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA**

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Defendants.**

**CERTIFICATE OF SERVICE**

I, Teresa J. Dumire, hereby certify that on this the 5<sup>th</sup> day of December, 2023, a true copy of the foregoing **Joint Response of All Parties in Support of “Judicial Motion to Refer Case to the Business Court Division”** was filed with the Supreme Court of Appeals of West Virginia and the Circuit Court of Harrison County, using the File & Serve Xpress and the West Virginia e-filing service, which will send notification of such filing to the following participants:

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/s/ Teresa J. Dumire  
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