

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

JUSTICE HOLDINGS, LLC,

Plaintiff/Counterclaim Defendant,

vs.

**Civil Action No.: 21-C-129
Presiding: Judge Reeder
Resolution: Judge Lorensen**

**GLADE SPRINGS VILLAGE PROPERTY
OWNERS ASSOCIATION, INC.,**

Defendant/Counterclaim Plaintiff.

and

**GLADE SPRINGS VILLAGE
PROPERTY OWNERS ASSOCIATION, INC.,**

Plaintiff,

vs.

**COOPER LAND DEVELOPMENT INC.,
An Arkansas corporation, and
JUSTICE HOLDINGS, LLC,
A West Virginia limited liability company,**

Defendant.

**ORDER DISMISSING GLADE SPRINGS VILLAGE PROPERTY OWNERS
ASSOCIATION, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON COUNT
XI BREACH OF REPRESENTATION TO GIVE COVENANT OF SPECIAL
WARRANTY COVENANT FOR WOODHAVEN**

Pending before the Court is Plaintiff's *Glade Springs Village Property Owners Association, Inc.'s Motion for and Memorandum in Support of Partial Summary Judgment on Count XI Breach of Representation to Give Covenant of Special Warranty Covenant for Woodhaven*.

The Parties have fully briefed the issues necessary. The Court dispenses with oral argument because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process.

The Court, having considered the pleadings, evidence, written submissions of the parties and arguments of counsel, **FINDS** that On July 20, 2023, the Court granted Cooper Land Development's (hereinafter "CLD") *Motion for Summary Judgment on Statute of Limitations* and dismissed all claims against CLD with prejudice. Therefore, the Court finds that this *Motion* as to CLD is moot.

As to Defendant Justice Holdings, Plaintiff Glade Springs Village Property Owners Association proffered in its *Corrected Glade Springs Village Property Owners Association, Inc.'s Joint Response in Opposition to Cooper Land Development, Inc.'s Motion for Summary Judgment and Justice Holdings LLC's Motions for Summary Judgment and Motion to Dismiss Counts III, X and XI* that it did not oppose Justice Holdings' cross-motion to dismiss Justice Holdings from Count XI.

Therefore, this Court **DISMISSES** Plaintiff's *Glade Springs Village Property Owners Association, Inc.'s Motion for and Memorandum in Support of Partial Summary Judgment on Count IX Breach of Representation to Give Covenant of Special Warranty Covenant for Woodhaven* and **ORDERS** that Count XI of Plaintiff's Complaint be dismissed.

The Court notes the objections of the parties to any adverse ruling herein. The Clerk shall enter the foregoing and forward attested copies hereof to all counsel, and to the Business Court Central Office at Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

Entered this 4th day of December, 2023.



JOSEPH K. REEDER, CIRCUIT JUDGE