

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

COMMUNITY CARE OF WEST VIRGINIA, INC.,

Plaintiff,

v.

**Civil Action No. 17-C-318-2
Presiding: Honorable Shawn D. Nines
Resolution: Honorable David M. Hammer**

**FRONTIER COMMUNICATIONS OF
AMERICA, INC., its parents, subsidiaries,
and affiliates;
FRONTIER WEST VIRGINIA INC.;
CITIZENS TELECOM SERVICES
COMPANY L.L.C.;
CITIZENS TELECOMMUNICATIONS
OF WEST VIRGINIA;
and MICHAEL SHAFFER,**

Defendants/Counter-Claimants.

**FINAL ORDER DISMISSING CLAIMS BETWEEN PLAINTIFF COMMUNITY
CARE OF WEST VIRGINIA, INC. AND DEFENDANTS/COUNTERCLAIMANTS
FRONTIER COMMUNICATIONS OF AMERICA, INC., FRONTIER WEST VIRGINIA
INC., CITIZENS TELECOM SERVICES COMPANY L.L.C. AND
CITIZENS TELECOMMUNICATIONS OF WEST VIRGINIA,
AND DISMISSING CIVIL ACTION WITH PREJUDICE**


On a prior day came the Plaintiff Community Care of West Virginia, Inc. and the Defendants/Counterclaimants Frontier Communications of America, Inc., along with its parents, subsidiaries and affiliates, Frontier West Virginia Inc., Citizens Telecom Services Company L.L.C. and Citizens Telecommunications of West Virginia, by their respective counsel, and announced to the Court that, pursuant to Rule 41 of the West Virginia Rules of Civil Procedure, they have agreed to voluntarily dismiss all of their respective claims and counterclaims, with prejudice, and that all matters and controversies have been fully settled, compromised and resolved

between them. The parties also represent to the Court that Michael Shaffer is deceased and should no longer be a party in this civil action.

Pursuant to the representations of counsel for these parties, it is therefore **ORDERED** that the parties' claims and counterclaims against each other are **DISMISSED, with prejudice**. Each party is to bear their own costs and attorney's fees incurred during the pendency of this civil action.

The Clerk of Court is directed to strike this civil action from the docket. An electronic copy of this Order will be provided to all counsel of record.

ENTER: This 29th day of January, 2024.



JUDGE SHAWN D. NINES
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION

AGREED TO BY:

/s/ Mark H. Dellinger

Mark H. Dellinger, Esq. (WVSB # 7703)

Alexandra M. Kitts, Esq. (WVSB # 12549)

JACKSON KELLY PLLC

500 Lee Street East

Charleston, West Virginia 25301

Telephone: (304) 340-1108

Facsimile: (304) 340-1050

***Counsel for Frontier Communications of
America, Inc., Frontier West Virginia Inc.,
Citizens Telecom Services Company L.L.C.,
Citizens Telecommunications of West Virginia***

/s/ Arie M. Spitz

Dan Earl, Esq. (WVSB # 6025)

John H. Mahaney, Esq. (WVSB # 6993)

Arie M. Spitz, Esq. (WVSB # 10867)

Nelson A. McKown, Esq. (WVSB # 13905)

DINSMORE & SHOHL LLP

707 Virginia Street East, Suite 1300

Charleston, West Virginia 25301

Counsel for Community Care of West Virginia, Inc.