

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION

CHARLESTON AREA MEDICAL CENTER, INC.,  
Plaintiff,

vs.

Civil Action No.: 22-C-359

Presiding: Judge Nines

Resolution: Judge Akers

WEST VIRGINIA UNITED HEALTH SYSTEM,  
INC., d/b/a WEST VIRGINIA UNIVERSITY  
HEALTH SYSTEM, and WVU HEALTH SYSTEM;  
THOMAS HEALTH SYSTEM, INC. d/b/a  
THOMAS HEALTH; HERBERT J. THOMAS  
MEMORIAL HOSPITAL;  
CHARLESTON HOSPITAL, INC. d/b/a SAINT  
FRANCIS HOSPITAL; THS PHYSICIAN  
PARTNERS, INC.; PULMONARY ASSOCIATES  
OF CHARLESTON PLLC, d/b/a CRITICAL  
CARE, PLLC, TRAKE, LLC; PHILLIP COX, D.O.,  
an individual; KEVIN EGGLESTON, M.D., an  
individual; ROBBY KEITH, M.D., an individual;  
JAMES D. PERRY, III, D.O., an individual;  
TAMEJIRO "TOM" TAKUBO, D.O., an individual;  
RYAN WADDELL, D.O., an individual; and W.  
ALEX WADE, M.D., an individual,  
Defendants.

**ORDER**

The Court previously appointed G. Nicholas Casey, Jr., Esq., as Discovery Commissioner for the Court in the above-styled action. The Court is now in receipt of an invoice dated January 15, 2024, (attached hereto), from the Discovery Commissioner in relation to said case for services provided. The Court now **FINDS** the January 15, 2024, invoice to be reasonable and **ORDERS** payments be made to Attorney Casey by the parties in the respective amounts set forth in the January 15, 2024, invoice, all in the manner set forth by previous Order of the Court.

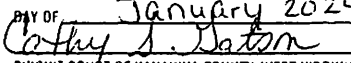
The Clerk of this Court is directed to forward copies of this order to: all counsel of record; and to the Discovery Commissioner G. Nicholas Casey Jr. at his address of 4401 Kanawha Ave. SE, Charleson, WV 25304; and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 21000, Martinsburg, WV 25401.

**IT IS SO ORDERED.**

01-30-2024



SHAWN D. NINES, JUDGE  
WEST VIRGINIA  
BUSINESS COURT DIVISION

STATE OF WEST VIRGINIA  
COUNTY OF KANAWHA, SS  
I, CATHY S. GATSON, CLERK OF CIRCUIT COURT OF SAID COUNTY  
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING  
IS A TRUE COPY FROM THE RECORDS OF SAID COURT.  
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 30<sup>th</sup>  
DAY OF January 2024  
 CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA  
LKadd

Date: 1/30/24  
Certified copies sent to:  
☒ counsel of record  
☒ parties Bus Ct  
☐ other (please indicate)  
By: ☒ certified/1st class mail  
☐ fax  
☐ hand delivery  
☐ interdepartmental  
Other directives accomplished:  
LKadd  
Deputy Circuit Clerk

K. Miller  
E. McLaughlin  
A. Cooke  
T. Hurney  
S. McMillan  
G. Nicholas Casey

# G. Nicholas Casey, Attorney

4401 Kanawha Avenue SE  
Charleston, West Virginia 25304  
[gncaseyww@gmail.com](mailto:gncaseyww@gmail.com)  
304.610.4941

ITEMIZED  
STATEMENT #2  
January 15, 2024

RE: Charleston Area Medical Center, Inc. v.  
West Virginia United Health System, Inc., et al.  
Civil Action No. 22-C-359

## SERVICES INVOLVING PAC AND CAMC Motions to Quash Subpoenas

10.27.23	Review Motion and exhibits	0.50
10.31.23	Scheduling communication with counsel	0.25
11.03.23	Review request to hold in abeyance	0.25
11.10.23	Review Response	0.50
11.28.23	Review Reply	0.25
11.30.23	Communications on pleadings	0.25
12.02.23	Review CAMC letter request to dismiss and reply and email ruling	0.75
12.03.23	Prepare for hearing	2.00
12.04.23	Hearing	0.50
12.05.23	Communications with Counsel	0.25
12.29.23	Prepare Second Recommended Decision	1.50
Total Hours		<u>7.00</u>

<u>Hours</u>	<u>Rate</u>	<u>Fee</u>	<u>Costs*</u>	<u>Total</u>
7.00	\$ 300.00	\$2100.00	\$ 38.00	\$ 2138.00

\* Copies

	CAMC	WVUH	Thomas	PAC
SERVICES FOR INVOLVED PARTIES	<u>3.50</u>	<u>0</u>	<u>0</u>	<u>3.50</u>

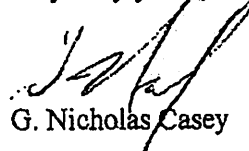
## Total Due from Each Party

CAMC 3.50. x \$300 = \$1050.00 plus 50% of costs (38 x .50 = \$19) for Total \$ 1069.00

PAC 3.50. x \$300 = \$1050.00 plus 50% of costs (38 x .50 = \$19) for Total \$ 1069.00

\$ 2,138.00

Very truly yours,

  
G. Nicholas Casey

# G. Nicholas Casey, Attorney

4401 Kanawha Avenue SE  
Charleston, West Virginia 25304  
[gncaseyvv@gmail.com](mailto:gncaseyvv@gmail.com)  
304.610.4941

## SUMMARY STATEMENT #2 January 15, 2024

RE: Charleston Area Medical Center, Inc. v.  
West Virginia United Health System, Inc., et al.  
Civil Action No. 22-C-359

### Total Due from Each Party

CAMC	\$ 1069.00
WVUH	\$ 0
Thomas	\$ 0
PAC	<u>\$ 1069.00</u>
<u>Total</u>	<u>\$ 2138.00*</u>

\* IRS Form W-9 available on request.

G. Nicholas Casey  
Discovery Commissioner

Dated this 30<sup>th</sup> day of January, 2024



SHAWN D. NINES, JUDGE  
WEST VIRGINIA  
BUSINESS COURT DIVISION