

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

**MOUNTAIN STATE PIPELINE & EXCAVATING, LLC,**

**Plaintiff/Counterclaim Defendant/Crossclaimant,**

**vs.**

**Civil Action No.: 20-C-350  
Presiding Judge Akers  
Resolution Judge Farrell**

**SMITH/PACKETT MED-COM, LLC,  
a Virginia limited liability company, and  
sole Manager-Member of Defendants SP WV, LLC,**

**Defendant/Counterclaimant; and**

**SP WV, LLC,  
a Virginia Manager-Managed Limited Liability Company, and  
"Pass Through Entity" acting as the Sole Member of  
Defendant WV IL-AL Investors, LLC,**

**Defendant/Counterclaimant; and**

**WV IL-AL INVESTORS, LLC,  
a Virginia Manager-Managed Limited Liability Company,**

**Defendant/Counterclaimant; and**

**JARRETT CONSTRUCTION SERVICES, INC.,  
a West Virginia limited liability company,  
as Construction Manager at Risk,**

**Defendant/Counterclaimant; and**

**CARTER BANK & TRUST,**

**Defendant; and**

**JARRETT CONSTRUCTION SERVICES, INC.,**

Third-Party Plaintiff,

vs.

ECS MID-ATLANTIC, LLC,

Third-Party Defendant/Crossclaim Defendant.


MEDIATION ORDER

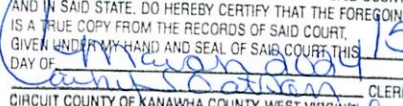
This matter came before the Court this 14th day of March, 2024, upon representations to the Court regarding scheduling of mediation. Upon consideration of the status of this case, the Court ORDERS the parties to attend Mediation at a date and time convenient to the parties, with David K. Hendrickson to serve as mediator.

It is therefore ORDERED that the parties shall appear for and attend Mediation at a date and time convenient to the parties, with David K. Hendrickson.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Division Central Office at the Berkeley County Judicial Center, 380 W. South Street, Suite 2100, Martinsburg, West Virginia 25401.

Enter: March 14, 2024

  
MARYCLAIRE AKERS, 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 15  
DAY OF March 2024.  
  
CATHY S. GATSON, CLERK  
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

FILED  
2024 MAR 15 AM 9:38  
CATHY S. GATSON, CLERK  
KAWAHA COUNTY, WEST VIRGINIA