

In the Circuit Court of Kanawha County, West Virginia

WW CONSULTANTS, INC.,
Plaintiff,

v.

Case No. CC-20-2018-C-115
Judge Christopher C. Wilkes

**POCAHONTAS COUNTY PUBLIC
SERVICE DISTRICT,**
Defendant

Agreed Order on Motion to Compel

On a prior day came Third-Party Defendant, Orders Construction Company (“OCC”) and Third-Party Plaintiff, WW Consultants, Inc., (“WWC”) on OCC’s Motion to Compel. Previously OCC, in its reply brief on its Motion, had requested an award of fees and costs incurred in bringing its Motion. OCC and WWC now represent to the Court that they have reached an agreement on all matters remaining in dispute between them with respect to OCC’s Motion to Compel and that the Motion and request for fees is now moot. Based on the foregoing, the Court does hereby **DENY as moot** OCC’s Motion to Compel and its request for attorney fees.

Entered this 16th day of July, 2024.

/s/ Christopher C. Wilkes
Circuit Court Judge
13th Judicial Circuit

Submitted by:

/s/John D. Hoblitzell, III
John D. Hoblitzell, III (WVSB # 9346)
Kay, Casto & Chaney, PLLC
P.O. Box 2031
Charleston, WV 25327
(304) 345-8900
(304) 345-8909 (fax)
jdhoblitzell@kaycasto.com

And

Matthew D. Elshiaty, Esq. (WVSB # 12535)
Kay, Casto & Chaney, PLLC.
150 Clay St., Ste. 100
Morgantown, WV 26501
(304) 225-0970
(304) 225-0974 (fax)
melshiaty@kaycasto.com
Counsel for Orders Construction Company, Inc.,

/s/Robert "Bo" Sweeney
Robert "Bo" Sweeney, Esq. (WVSB #5831)
Jenkins Fenstermaker, PLLC
PO Box 2688
Huntington, WV 25726-2688
Counsel for WW Consultants, Inc.

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.