

**ADMINISTRATIVE ORDER**  
**SUPREME COURT OF APPEALS OF WEST VIRGINIA**

SCA EFiled: Aug 01 2024  
03:56PM EDT  
Transaction ID 73886592

West Virginia University Board of Governors,  
Petitioner, Plaintiff Below,

v.

Monongalia County Civil Action No. **24-C-10**  
Supreme Court Docket No. **24-327**

WV Campus Housing, LLC,  
Downtown Campus Parking Associates, LLC,  
Falcon Services, LLC d/b/a Falcon Consulting &  
Management, Westridge Corporate Park, LLC,  
Toro Equities, LLC d/b/a Mountain Aviation Group,  
Ryan Lynch, John Doe entities 1 through 10, and  
BDO USA, LLP,  
Respondents, Defendants Below

**ORDER REFUSING REFERRAL**

On June 12, 2024, the petitioner West Virginia University Board of Governors, by counsel Seth P. Hayes and Zachary H. Warder, filed a motion to refer this case to the Business Court Division in accordance with Rule 29 of the West Virginia Trial Court Rules ("TCR"). On July 2, 2024, the respondent BDO USA, LLP, by counsel Peter T. DeMasters and Adriana C. DiMatteis, filed a response to the motion indicating that it does not oppose the referral. On July 2, 2024, the respondents WV Campus Housing, LLC, Downtown Campus Parking Associates, LLC, Falcon Services, LLC d/b/a Falcon Consulting & Management, Westridge Corporate Park, LLC, Toro Equities, LLC d/b/a Mountain Aviation Group, Ryan Lynch, by counsel Jared M. Tully and Alex J. Zurbuch, filed a response in opposition to the motion.

Upon careful review and consideration of the motion and the applicable rules, the Chief Justice has determined that the motion has not satisfied the requirement set forth in TCR 29.06(a)(2) and that no good cause has been provided to grant an exception at this time.

It is ORDERED that the motion to refer this action to the Business Court Division is REFUSED AT THIS TIME.

The Clerk of Court shall provide a copy of this order to counsel of record, the Honorable Judge Paul W. Gwaltney, Jr., and the Clerk of the Circuit Court of Monongalia County.

ENTERED: August 1, 2024



A handwritten signature in blue ink, which appears to read "Timothy P. Armstead", is written over a horizontal line.

TIMOTHY P. ARMSTEAD  
Chief Justice