

Rec'd 2/1/21

FILED

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

2021 FEB 24 PM 2:35

JEFFERSON COUNTY FOUNDATION, INC.
a West Virginia non-profit corporation,

CAROL S. GIBSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

Plaintiff,

vs.

Civil Action No.: 20-C-332
Presiding: Judge Wilkes

WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY,
a Public Corporation of the State of West Virginia,
and ROXUL USA, INC. D/B/A ROCKWOOL,
a Delaware corporation,

Defendants.

ORDER GRANTING DEFENDANT WVEDA'S MOTION TO DISMISS

This matter came before the Court this 24th day of February 2021. The Plaintiff, Jefferson County Foundation, Inc. (hereinafter "Plaintiff" or "JCF"), by counsel, Christopher P. Stroeck, Esq., and Robert M. Bastress, Esq., and Defendant, West Virginia Economic Development Authority (hereinafter "Defendant" or "WVEDA"), by counsel, Michael E. Caryl, Esq., and Peter G. Markham, Esq., have fully briefed the issues necessary. The Court dispenses with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process. So, upon the full consideration of the issues, the record, and the pertinent legal authorities, the Court rules as follows.