

IN THE CIRCUIT COURT OF MONONGALIA COUNTY, WEST VIRGINIA

BLUE LAND SERVICES, LLC,
Plaintiff

v.

CIVIL ACTION NO.: 19-C-159

WARRIOR OIL AND GAS, LLC
a Delaware Limited Liability
Company, and WOG Minerals, LLC, a
Delaware Limited Liability Company,
Defendants

ORDER GRANTING PLAINTIFF'S AWARD OF DAMAGES

On the 19th day of May, 2021, came the Plaintiff, Blue Land Services, LLC, by and through Counsel Lance E. Rollo, and came the Defendants, Warrior Oil and Gas, LLC, and WOG Minerals, LLC, by and through Counsel William J. Leon, for a hearing relative to the Plaintiff's damages in the above-styled matter, with the Honorable Susan B. Tucker, presiding.

The Plaintiff, with no objection from the Defendants, introduced the following exhibits:

- 1) The Master Service Agreement ("MSA") between the parties,
- 2) Work Orders 76, 77, 78, 79, 80, 81, 83, and 84, issued by the Defendants to the Plaintiff,
- 3) Work Orders 89, 90, 91, and 93, issued by the Defendants to the Plaintiff,
- 4) Email correspondence between the parties relative to the aforementioned work orders,
- 5) Plaintiff's Invoice No. 1, W201803291424, in the original amount of \$18,000.00,
- 6) Plaintiff's Invoice No. 2, 201807101145, in the original amount of \$37,074.50,
- 7) Plaintiff's updated Invoice No. 1, W201803291424, in the amount of \$19,350.00, which is inclusive of the original amount of the invoice plus late fees,

- 8) Plaintiff's updated Invoice No. 2, W201807101145, in the amount of \$37,630.62, which is inclusive of the original amount of the invoice plus copy costs and late fees,
- 9) Plaintiff's Third and Final Notice of Defendants of the past two invoices,
- 10) Plaintiff's updated Invoice No. 1, W201803291424, in the amount of \$19,640.25, which is inclusive of the past due amount of the invoice plus past/current late fees,
- 11) Plaintiff's updated Invoice No. 2, 201807101145, in the amount of \$38,195.08, which is inclusive of the past due amount of the invoice plus copy costs and past/current late fees, and
- 12) Plaintiff's itemization of the interest and late fees calculated from November 1, 2018, through May 1, 2021.

These exhibits are attached and incorporated herewith and are made part of this Order.

NOW, therefore, after hearing both testimony and proffers from Counsel the Court does hereby ORDER that the Plaintiff is entitled to an award of damages in the following amounts:

1. Twenty Eight Thousand Five Hundred and Fifty Seven Dollars and Forty-eight Cents (\$28,557.48), which represents the gross amount of Plaintiff's first invoice as enumerated in Exhibit Five (5) plus interest and late fees enumerated in Plaintiff's Exhibit Twelve (12); and
2. Fifty Eight Thousand Eight Hundred Dollars and Sixty-seven Cents (\$58,819.67), which represents the gross amount of Plaintiff's second invoice as enumerated in Exhibit Six (6) plus interest and late fees enumerated in Plaintiff's Exhibit Twelve (12);

3. In consideration of the above-referenced amounts, the Total award of damages owed to the Plaintiff by the Defendants is **Eighty Seven Thousand Three Hundred Seventy Seven Dollars and Fifteen Cents (\$87,377.15)**.

4. The Clerk of the Court is hereby ORDERED that certified copies of this Order shall be provided to all parties of record.

MAY 25 2021

ENTER: _____

JUDGE: *Susan B. Tucker*

SUSAN B. TUCKER

ENTERED: *May 25, 2021*
DOCKET LINE *70*, Jean Friend, Clerk

STATE OF WEST VIRGINIA SS:

I, Jean Friend, Clerk of the Circuit Court and Family Court of Monongalia County State aforesaid do hereby certify that the attached Order is a true copy of the original Order made and entered by said Court.

Jean Friend Circuit Clerk