

IN THE CIRCUIT COURT OF MONONGALIA COUNTY, WEST VIRGINIA

CRYSTAL GAYLE ELLIFRITZ,
A West Virginia Resident,

Plaintiff,

v.

Civil Action No. 19-C-87
Honorable Phillip D. Gaujot

WESBANCO BANK, INC.
As Successor to Central National Bank,
a West Virginia Corporation,

Defendant.

ORDER DENYING WESBANCO BANK, INC.'S RENEWED MOTION FOR
JUDGMENT AS A MATTER OF LAW OR, IN THE ALTERNATIVE, FOR A NEW
TRIAL ON PLAINTIFF'S BREACH OF CONTRACT CLAIM

Previously pending before the Court for decision was the above-referenced *Motion For Judgment As A Matter Of Law Or, In The Alternative, For A New Trial On Plaintiff's Breach Of Contract Claim*, filed by Defendant Wesbanco Bank, Inc.

In ruling on this Motion, the Court has considered the pleadings to date, the Motion, the Response thereto, and exhibits to the foregoing, as submitted by the parties, as well as the arguments presented to the Court on October 5, 2021, and the record developed during the trial of this matter.

As to the Motion, as stated on the record during the hearing convened October 5, 2021, it is **ORDERED** that the Motion is **DENIED**.

The objections and exceptions of the parties are noted and preserved.

The Clerk is directed to mail a copy of this Order to all parties of record.

Entered this 12th day of October 2021.

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.

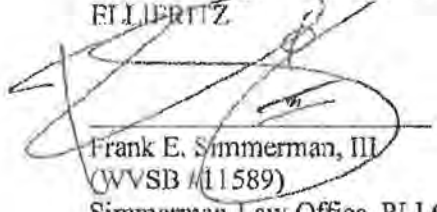
Jean Friend Circuit Clerk

Phillip D. Gaujot
PHILLIP D. GAUJOT, JUDGE

ENTERED Oct 12 2021

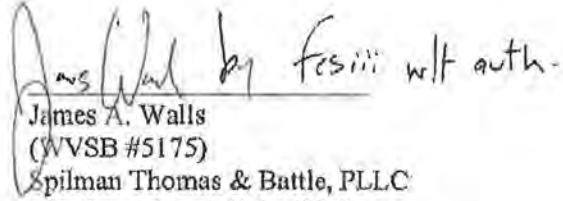
DOCKET LINE 122, Jean Friend, Clerk

PLAINTIFF CRYSTAL GAYLE
ELLERITZ



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WESBANCO BANK, INC.,
As Successor to Central National Bank,
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Defendant.

**ORDER DENYING PLAINTIFF'S AND DEFENDANT'S
MOTIONS FOR SUMMARY JUDGMENT**

Pending before the Court for decision were the Defendant WesBanco Bank, Inc.'s Motion for Summary Judgment and Plaintiff Crystal Gayle Ellifritz's Motion for Summary Judgment with incorporated Memorandum of Law as to Count 1, Liability re: Plaintiff's Breach of Contract Claim, (together the "Motions").

In ruling on these Motions, the Court has considered the pleadings to date, the Motions, the Responses thereto, the Reply, if any, and exhibits to the foregoing, as submitted by the parties, as well as the arguments presented to the Court on December 17, 2020.

As to the Motions, as stated on the record during the hearing convened December 17, 2020, the Court **FINDS** that genuine of material fact(s) exist concerning the issues set forth in the various Motions.

Accordingly, consistent with the foregoing, as stated on the record during the hearing convened December 17, 2020, it is therefore **ORDERED** that the Motions are **DENIED**.

The objections and exceptions of the parties are noted and preserved.

The Clerk is directed to mail a copy of this Order to all parties of record.

