

**IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA
BUSINESS COURT DIVISION**

TRI-STATE AMBULANCE, INC.,

Plaintiff,

vs.

**Civil Action No.: 20-C-155
Presiding: Judge Lorensen**

**WHEELING HOSPITAL, INC.,
WEST VIRGINIA UNIVERSITY
HOSPITALS, INC., HEALTHTEAM
CRITICAL CARE TRANSPORT, LLC,
and HEALTHNET AEROMEDICAL
SERVICES, INC.**

Defendants.

**DAY ORDER FROM DECEMBER 9, 2024 HEARING AND ORDER STAYING
CASE UNTIL MARCH 24, 2025**

CAME the parties, in a status conference on December 9, 2024, commencing at 11:00
a.m.

Robert J. D'Anniballe, Jr., Esq. appeared for Plaintiff Tri-State Ambulance, Inc.,
Christine S. Vaglianti, Esq. appeared for Defendant West Virginia University Hospitals, Inc.,
Michael C. Cardi, Esq. appeared for Defendants HealthTeam Critical Care Transport, LLC and
Healthnet Aeromedical Services, Inc., and Paul N. Garinger, Esq. appeared for Defendant
Wheeling Hospital, Inc.

1. Conference was had as to the status of the parties' agreed alternative process to effectuate a resolution of this civil action, wherein the parties would engage an expert for the valuation of assets at issue.
2. Counsel for Plaintiff averred significant progress has occurred with their agreed resolution track. The valuation is now complete. The valuation firm has completed the

peer review process of the valuation, and the valuation has now been received by counsel.

As discussed at the last status, counsel for Plaintiff opined that the parties have conferred and wish to attempt to resolve the dispute with mediation.

3. Counsel for Defendants agreed.

4. Counsel for Plaintiff opined the parties would like to use a private mediator, so long as this did not violate the Business Court Rules or any directive of the undersigned.

Counsel for Defendants agreed. The undersigned agreed to the use of a private mediator.

5. After an inquiry by the undersigned, counsel requested an additional stay of 120 days to continue this resolution track. Other counsels were in agreement.

6. The undersigned, taking into account that the parties are actively engaged and making progress towards resolution, finding the agreed upon resolution being the ultimate goal in this matter, and considering the agreement of the parties to a stay, agreed to stay this matter for a period of 120 days, or longer if needed.

7. The undersigned set this matter for status conference on March 24, 2025 at 11:00 a.m. via Microsoft Teams, at which time the parties will report as to the effectiveness of the alternative resolution route and advise the undersigned if more time is needed or if a scheduling order is needed.

8. Therefore, by agreement of the parties, this civil action shall be STAYED until such time as the Court lifts it or until the March 24, 2025 status hearing.

9. Counsel proffered they had no other matters to take up today.

10. The hearing was then adjourned.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.

ENTER: December 9, 2024



JUDGE MICHAEL D. LORENSEN
JUDGE OF THE WEST VIRGINIA
BUSINESS COURT DIVISION