

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

MARK WEST LIBERTY MIDSTREAM &
RESOURCES, L.L.C.,
Plaintiff,

v.

Wetzel County Circuit Court
Civil Action No. 16-C-82

J.F. ALLEN COMPANY; AMEC FOSTER
WHEELER ENVIRONMENTAL &
INFRASTRUCTURE, INC.; REDSTONE
INTERNATIONAL, INC.; COASTAL DRILLING
EAST, LLC; CIVIL & ENVIRONMENTAL
CONSULTANTS, INC.,
Defendants,

and

J.F. ALLEN COMPANY,
Defendant/Third-Party Plaintiff,

v.

THE LANE CONSTRUCTION CORPORATION,
Third-Party Defendant.

**REPLY MEMORANDUM OF REDSTONE INTERNATIONAL, INC. IN SUPPORT OF THE
JUDICIAL MOTION TO REFER CASE TO THE BUSINESS COURT DIVISION**

COMES NOW the Defendant, Redstone International, Inc., ("Redstone"), by counsel, pursuant to Rule 29.06(a)(4) of the West Virginia Trial Court Rules, and for its Reply Memorandum in Support of the Judicial Motion to Refer Case to the Business Court Division, states and avers as follows:

Redstone is in agreement with the Wetzel County Circuit Court's February 2, 2018 referral of this matter to the West Virginia Business Court Division pursuant to Rule 29.06(a)(1) of the West Virginia Trial Court Rules.

FILED
18 FEB 22 AM 10:32
LORI J. MCCOY
CIRCUIT CLERK
WETZEL COUNTY, WV

Moreover, should the referral to the Business Court Division take place, Redstone would expect and intend to seek remand from the United States District Court for the Northern District of West Virginia of Civil Action No. 5:15-cv-113, Redstone International, Inc., v. J. F. Allen Construction Co., et al., which action involves essentially the same parties and claims as the Wetzel County state court action proposed to be referred.

That action is currently the subject of a stay order, and in the interests of justice and judicial economy and efficiency, as well as the avoidance of potentially conflicting outcomes of the same subject matter involving the same parties, Redstone respectfully suggests that the Business Court Division should decide all disputes among all parties within the same proceeding.

WHEREFORE, Redstone International, Inc. respectfully requests that the Chief Justice accept the referral to the West Virginia Business Court Division.

REDSTONE INTERNATIONAL, INC.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
**Reply Memorandum of Redstone International Inc. in Support of the Judicial
Motion to Refer Case to the Business Court Division** has been served via U.S. Mail
upon the following counsel of record:

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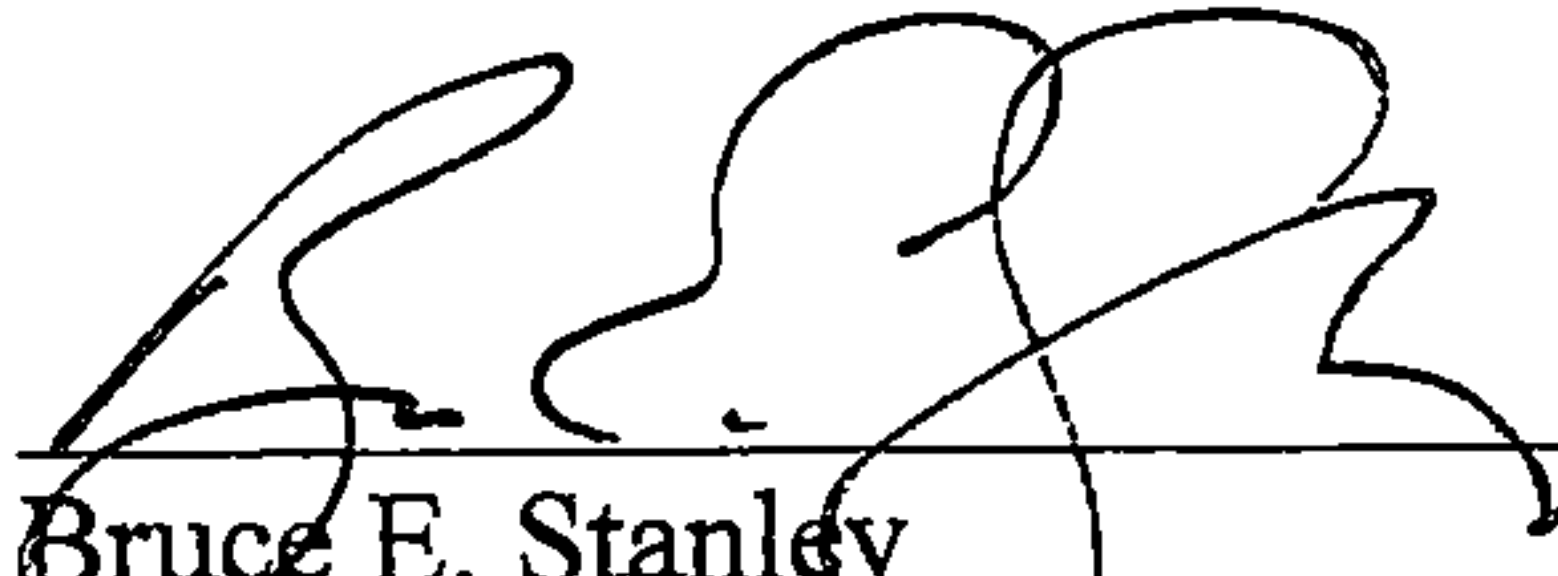
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Dated: February 20, 2018



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