

ADMINISTRATIVE ORDER

SUPREME COURT OF APPEALS OF WEST VIRGINIA

**MarkWest Liberty Midstream & Resources, L.L.C.,
Plaintiff**

vs.) Civil Action No. 16-C-66 (Wetzel County)

**Bilfinger Westcon, Inc.,
Defendant**

The Honorable Jeffrey D. Cramer, Judge of the Second Judicial Circuit, has filed a motion to refer the above-referenced action to the Business Court Division pursuant to Rule 29 of the West Virginia Trial Court Rules ("TCR"). Plaintiff MarkWest Liberty Midstream & Resources, L.L.C., by counsel, Jason L. Richey, Mark D. Feczko, Jared S. Hawk, Travis L. Brannon, and the law firm of K&L Gates LLP, and William Crichton VI and the law firm of Crichton & Crichton, filed a response indicating that it takes no position on the motion to refer. Defendant Bilfinger Westcon, Inc., by counsel, R. Booth Goodwin II, Carrie Goodwin Fenwick, and the law firm of Goodwin & Goodwin, LLP, filed a response stating that it has no objection to the motion to refer.

Upon careful review and consideration of the motion and the responses thereto, the Chief Justice has determined that the principal claims in the action involve matters of significance to the transactions, operations, or governance between business entities as required by TCR 29.04(a)(1). The Chief Justice has further determined that specialized treatment is likely to improve the expectation of a fair and reasonable resolution of the controversy as required by TCR 29.04(a)(2), and the motion to refer should therefore be granted.

It is hereby ORDERED that the motion to refer this action to the Business Court Division is granted, and this order shall be transmitted to the Honorable Christopher C. Wilkes, Chair of the Business Court Division, for assignment of a presiding judge and such other actions as are necessary to effectuate the provisions of TCR 29.

It is further ORDERED that a copy of this ORDER be transmitted to the Central Office of the Business Court Division; the Honorable Jeffrey D. Cramer, Judge of the Second Judicial Circuit; and to the Clerk of the Circuit Court of Wetzel County, who is to provide copies of the same to all parties of record or their counsel.

ENTERED: APRIL 10, 2018


MARGARET L. WORKMAN
Chief Justice