

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

**MOUNTAIN STATE  
PIEPLINE & EXCAVATING, LLC,  
a West Virginia Limited Liability Company,**

**Plaintiff/Counterclaim Defendant/Crossclaimant,**

**v.**

**Civil Case No.: 20-C-350  
Presiding: Judge Akers  
Resolution: Judge Farrell**

**SMITH/PACKETT MED-COM, LLC,  
a Virginia Limited Liability Company, and  
Sole Manager-Member of Defendant SP WV, LLC,**

**Defendant/Counterclaimant; and**

**SP WV, LLC  
a Virginia Manager-Managed Limited Liability Company and  
“Pass Through Entity” acting as the Sole Member of  
Defendant WV IL-AL Investors, LLC**

**Defendant/Counterclaimant; and**

**WV IL-AL INVESTORS, LLC,  
a Virginia Member-Managed Limited Liability Company,**

**Defendant/Counterclaimant; and**

**JARRETT CONSTRUCTION SERVICES, INC.  
a West Virginia Limited Liability Company,  
as Construction Manager at Risk,**

**Defendants/Counterclaimant; and**

**CARTER BANK & TRUST,**

**Defendant; and**

**JARRETT CONSTRUCTION SERVICES, INC.,**

**Third-Party Plaintiff,**

**v.**

**ECS MID-ATLANTIC, LLC,**

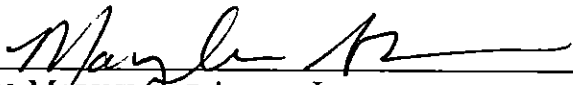
**Third-Party Defendant/Crossclaim Defendant.**

### **ORDER STAYING PROCEEDINGS PENDING MEDIATION**

Upon consideration of the Court's directive for mandatory mediation scheduled for Tuesday, September 24, 2025, at 9:00 a.m. in Judge Maryclaire Akers' Chambers, and in accordance with the Court's inherent authority to manage its docket and promote judicial efficiency, it is hereby ORDERED that:

1. Stay of Proceedings: All proceedings in this matter, including discovery, motion practice, and any pending deadlines, are hereby STAYED until further order of the Court.
2. Purpose of Stay: This stay is intended to facilitate the mediation process and encourage the parties to engage in good faith settlement discussions.
3. Effect of Stay: No party shall file any motions, pleadings, or other documents during the pendency of this stay, except as necessary to comply with the mediation process or as otherwise directed by the Court.
4. Sanctions for Noncompliance: Any party who fails to comply with the terms of this Order, including but not limited to engaging in prohibited filings or refusing to participate in the mediation process in good faith, may be subject to sanctions, including but not limited to the striking of pleadings, limitation of evidence, assessment of costs, or any other relief deemed appropriate by the Court.
5. Resumption of Proceedings: Following the conclusion of the mediation, the Court will issue an order addressing the resumption of proceedings and setting forth any revised deadlines as appropriate.

IT IS SO ORDERED, this 1<sup>st</sup> day of August, 2025.

  
HON. MARYCLAIRE AKERS, JUDGE

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