

**ADMINISTRATIVE ORDER
SUPREME COURT OF APPEALS OF WEST VIRGINIA**

SCA EFiled: Sep 11 2025
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Transaction ID 77057521

SVR ONE, LLC and
GENESIS PARTNERS,
Plaintiffs

v.) No. 25-430 (Harrison County No. CC-17-2025-C-101)

CHEAT ROAD ENGINEERING, INC.,
DRB GROUP WEST VIRGINIA, LLC,
JENNINGS EXCAVATING, INC., and
PRESTON CONTRACTORS, INC.,
Defendants

ORDER DENYING REFERRAL

On June 20, 2025, a judicial motion to refer this case to the Business Court Division was filed in accordance with Rule 29 of the West Virginia Trial Court Rules. On the same date, June 20, 2025, the plaintiffs SRV One, LLC and Genesis Partners, LP, by counsel G. Thomas Smith, Smith Law, PLLC; and the defendant Jennings Excavating, Inc., by counsel Brian J. Warner and Sara E. Brown, Shuman McCuskey & Slicer, PLLC, filed a joint response opposing the motion to refer. On August 21, 2025, the same parties, by counsel, filed a supplement with the Court requesting that the motion to refer be denied as moot.

Upon careful review and consideration of the motion and the response, the Chief Justice has determined that the motion to refer should be refused as moot. The underlying case has been transferred to a different circuit judge and consolidated with other underlying actions.

It is ORDERED that the motion to refer this action to the Business Court Division is refused as moot.

The Clerk of Court shall provide a copy of this order to the Honorable Michael D. Lorensen, Chair of the Business Court Division, the Central Office of the Business Court Division, the Honorable Christopher J. McCarthy, Judge of the Circuit Court of Harrison County, and to the Clerk of the Circuit Court of Harrison County.

ENTERED: SEPTEMBER 11, 2025





WILLIAM R. WOOTON
Chief Justice