

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

EZRA SCHOOLCRAFT,

Plaintiff,

v.

Civil Action Number: 22-C-910

JEFFREY ISNER,
PBC ENERGY, LLC,

Defendants.

AGREED ORDER EXTENDING DEADLINES

This Court's August 23, 2024 Final Judgment Order directed the parties to hire a broker or brokers to facilitate the sale of the assets of PBC Energy, LLC ("PBC") and set forth certain deadlines.

On September 16, 2024, the Court entered an Agreed Order extending the deadlines for submitting the names of proposed brokers and hiring a broker.

On October 15, 2024, Defendant Isner filed a "Submission of Proposed Broker" proposing Wes Casto, P.E. of Casto Petroleum Engineering as the broker to facilitate the sale of PBC's assets. Plaintiff Ezra Schoolcraft did not submit the name of any proposed broker.

On February 5, 2025, this Court entered an Agreed Order appointing Mr. Casto as broker. That Agreed Order further directed the parties to "submit a final report and proposed agreed final judgment order upon the completion of the winding up and formal termination of PBC, which must occur no later than 120 days after the entry of this Order." By the parties' calculation, that 120-day period would have expired on June 6, 2025.

On June 2, 2025, the parties submitted an Agreed Order to extend the aforementioned

deadlines to September 4, 2025.

The parties have since advised the Court that although Mr. Casto has been diligently working on this matter and has recently completed his report, he needs more time to facilitate the sale of PBC's assets. Further, Mr. Casto has advised the parties that it will be necessary to subcontract or otherwise hire a real estate broker to appraise and facilitate the sale of certain real estate owned by PBC. The parties are in discussions with a real estate broker but, upon information and belief, it will take at least 30 days to complete the appraisal. In addition, once that appraisal is complete, Mr. Casto and/or the real estate broker will need time to market PBC's assets. Accordingly, the parties jointly seek to extend the deadlines for the completion of the winding up and formal termination of PBC, and the submission of a final report and proposed agreed final judgment order, by 60 days.

For good cause, the Court hereby extends the deadlines as requested and ORDERS that the parties shall submit a final report and proposed agreed final judgment order upon the completion of the winding up and formal termination of PBC, which must occur no later than November 3, 2025.

The Circuit Clerk is directed to forward a certified copy of this Order to all counsel of record.

Entered this _____ day of _____, 2025.

Honorable _____, Judge

Submitted by:

/s/ David R. Pogue

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