

IN THE INTERMEDIATE COURT OF APPEALS OF WEST VIRGINIA

No. 25-ICA-144

ICA EFiled: Jul 09 2025
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Transaction ID 76616642

Heritage Resources-Marcellus Minerals, LLC,
Petitioner

v.

JB Exploration I, LLC
Plaintiff Below, Respondent

and

Lewis C. Wilson, Henry Alfred Thomas,
Maude D. Thomas, Thelma W. Thomas Hitchcock,
Calvin W. Thomas, James C. Thomas, Mary E. Thomas,
Ruth E. Thomas, Henry A. Thomas, Safrona C. Thomas,
Bertha E. Thomas, Sophrona Thomas, Tobias Wesley Thomas,
James E. Thomas, Absalom M. Thomas, and the remaining
unknown heirs, devisees, successors, assigns and/or creditors
of any of the above and all other unknown persons or defendants
who own or claim to own an unleased interest (unleased to JB
Exploration I, LLC) in and to the oil and gas within and underlying
that certain tract or parcel of real estate situate on the water of
Indian Creek, McElroy District, Tyler County, West Virginia,
said to contain 28.25 acres, more or less,
Defendants Below, Respondents

Summary Response of Frederick M. Dean Rohrig, Guardian Ad Litem

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Guardian ad Litem

Summary Statement

This summary response is presented pursuant to Rule 10(e) of the Rules of Appellate Procedure.

Respondent, Frederick M. Dean Rohrig (hereinafter the “GAL”), formerly served as Guardian ad Litem in Tyler County Circuit Court Civil Action No. 14-P-3 (the “Prior Civil Action”), which Heritage Resources-Marcellus Minerals, LLC, (the “Petitioner”) seeks to reopen through this appeal. Additionally, he currently serves as Guardian ad Litem in Tyler County Circuit Court Civil Action No. 24-C-17 (the “Current Civil Action”), with which Petitioner seeks to consolidate the Prior Civil Action.

In the Circuit Court, the GAL opposed Petitioner’s motion to reopen and consolidate for reasons substantially the same as those asserted by JB Exploration I, LLC, Respondent herein. In this proceeding, the GAL has reviewed the Petitioner’s brief and the brief of Respondent JB Exploration I, LLC, without changing his opposition to Petitioner’s argument or his support of JB Exploration I, LLC’s argument. Consequently, the GAL adopts and asserts the argument, facts, law and conclusion set forth in Respondent, JB Exploration I, LLC’s Brief, as though fully set forth herein.

Respectfully submitted,

/s/ Fredrick M. Dean Rohrig

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Certificate Of Service

I certify that a copy of the forging Summary Response was served on July 9, 2025, by electronic delivery to the counsel below through the File & ServeXpress filing and notice system.

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