

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on January 28, 2020, the following order was made and entered:

State of West Virginia ex rel.  
West Virginia-American Water Company,  
Petitioner

vs.) No. 20-0676

Honorable Carrie L. Webster, Judge of the  
Circuit Court of Kanawha County;  
Richard Jeffries, individually, and on behalf  
of all other similarly situated; and  
Colours Beauty Salon, LLC,  
Respondents

**REMAND ORDER**

On January 12, 2021, the respondents, Richard Jeffries, et al., by counsel, W. Stuart Calwell, L. Danté diTrapano and Alex McLaughlin, Calwell Luce DiTrapano, PLLC; Van Bunch, Bonnett Fairbourn Freidman & Balint, PC; and Kevin Thompson and David R. Barney, Thompson Barney, filed a motion to remand, for the reasons set forth. On January 22, 2021 the petitioner, West Virginia-American Water Company, by counsel, Thomas J. Hurney, Jr. and Alexandra Kitts, Jackson Kelly, PLLC; and Kent Mayo, Baker Botts LLP, filed a response in opposition to the motion.

Upon consideration and review, the Court is of the opinion to and does grant the motion to remand. It is therefore ordered that this case shall be, and it hereby is, remanded to the Honorable Carrie L. Webster, Judge of the Circuit Court of Kanawha County, and the Circuit Court of Kanawha County for further consideration in light of *State of West Virginia ex rel. Surnaik Holdings of WV, LLC v. Bedell*, No. 19-1006, \_\_\_ W.Va. \_\_\_ (Nov. 20, 2020).

It is finally ordered that this matter shall be, and it hereby is, dismissed from the docket of this Court.

Chief Justice Evans H. Jenkins and Justice Tim Armstead would refuse the motion to remand.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

