Legal Advertisement

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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA Clarksburg Division

DOMINION ENERGY TRANSMISSION, INC., F/k/a DOMINION TRANSMISSION, INC.,

Plaintiff,

Case No. 1:19CV182 (Judge Keeley)

0.11 ACRE, MORE OR LESS, IN DODDRIDGE COUNTY, WEST VIRGINIA, et al.,

Defendants

NOTICE OF FILING OF ROSEBORO NOTICE AND ORDER

To: Anthony Lake and Any Unknown Owners who may own an interest in that certain tract of land described as Parcel Identification No. 09-04-10-0032-0001-0000, composed of 19.04 acres, more or less, located in Doddridge County, West Virginia and being more particularly described in General Warranty Deed in Book 320, Page 80, of the public records of said County. PLEASE TAKE NOTICE that on May 21, 2020, the United States District Court for the Northern District of West

Virginia in the above-captioned matter entered the following "Roseboro Notice and Order" [Dkt. No. 33]: On May 21, 2020, the plaintiff, Dominion Energy Transmission Inc. ("Dominion"), filed a motion for summary judgment as to just compensation owed to the remaining defendants and its supporting memorandum of law and exhibit (Dkt. Nos. 31, 32). Because the remaining defendants are proceeding pro se, the Court has a duty to advise them of their right to file a response to Dominion's motion for summary judgment and that failing to respond could result in the entry of

summary judgment against them. See Roseboro v. Garrison, 528 F.2d 309, 310 (4H Cir. 1975). <u>I. MOTION FOR SUMMARY JUDGMENT</u> Summary judgment is appropriate only "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." Fed. R. Civ. P. 56(c). When ruling on a motion for summary judgment, the Court when the distribution of the section of the sect reviews all the evidence "in the light most favorable" to the nonmoving party. <u>Providence Square</u>, 211 F.3d at 850. The Court must avoid weighing the evidence or determining its truth and limit its inquiry solely to a determination of whether genuine issues of triable fact exist. <u>Anderson v. Liberty Lobby</u>, Inc., 477 U.S. 242, 249 (1986). The moving party bears the initial burden of informing the Court of the basis for the motion and of establishing the nonexistence of genuine issues of fact. <u>Celotex Corp. v. Catrett</u>, 477 U.S. 317, 323 (1986). Once the moving party has

for trial." <u>Anderson</u>, 477 U.S. at 256 (internal quotation marks and citation omitted). The "mere existence of a scintilla of evidence" favoring the non-moving party will not prevent the entry of summary judgment; the evidence must be such that a rational trier of fact could reasonably find for the nonmoving party. Id. at 248–52.

II. CONCLUSION

Accordingly, the defendants are NOTIFIED of their right to file a response to Dominion's motion for summary judgment. The Court ORDERS the defendants to file their opposition to Dominion's motion, if any, by June 11, 2020. Any response shall not exceed 25 pages. It further ORDERS Dominion to file its reply, if any, by October June 25, 2020. It is so ORDERED.

The Court DIRECTS the Clerk of Court to transmit copies of this Order to counsel of record. It further DIRECTS Dominion to provide a copy of this Order to the remaining defendants and file proof of service with the Court. DATED: May 21, 2020

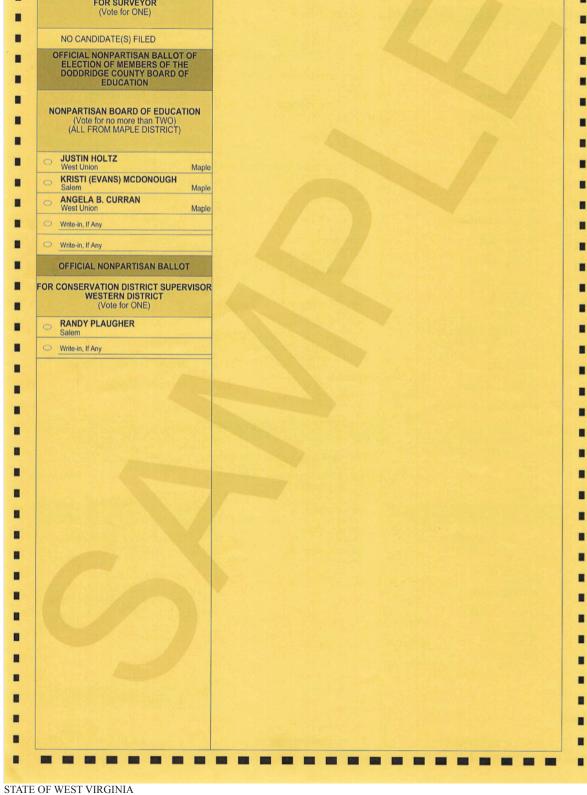
/s/ Irene M. Keeley IRENE M. KEELEY UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRET JUDGE By counsel for Dominion Energy Transmission, Inc. f/k/a Dominion Transmission, Inc.: William J. O'Brien (WV Bar #10549), Steptoe & Johnson PLLC, william.obrien@steptoe-johnson.com, 400 White Oaks Boulevard, Bridgeport, West Virginia 26330, (304) 933-8000; Lauren K. Turner (WV Bar #11942), Steptoe & Johnson PLLC, lauren.turner@step-toe-johnson.com, 400 White Oaks Boulevard, Bridgeport, West Virginia 26330, (304) 933-8000; and Brooks Spears (WV Bar #12820), McGuireWoods LLP, bspears@mcguirewoods.com, 1750 Tysons Boulevard, Suite 1800, Tysons, Virginia 22102, (304) (703) 712-5000.

5-27-3xb

Date of Primary Election is June 9, 2020

INSTRUCTIONS TO VOTER	STATE TICKET	NONPARTISAN BALLOT OF ELECTION
INSTRUCTIONS TO VOTER To vote you must darken the oval () completely next to the candidate or issue of your choice.	FOR SECRETARY OF STATE	OF JUDICIAL OFFICERS
or your choice.	(Vote for ONE)	JUSTICE OF THE SUPREME COURT OF APPEALS OF WEST VIRGINIA - DIVISION (Vote for ONE)
NATIONAL TICKET	NATALIE TENNANT Charleston Kanawha Co.	
FOR PRESIDENT (Vote for ONE)	FOR AUDITOR (Vote for ONE)	 WILLIAM R. "BILL" WOOTON Beckley Raleigh JIM DOUGLAS
ELIZABETH WARREN	MARY ANN ROEBUCK CLAYTOR St Albans Kanawha Co.	Charleston Kanawha
Cambridge, MA DEVAL PATRICK		Charleston Kanawha
Richmond, MA	FOR TREASURER (Vote for ONE)	Eleanor Putnam Write-in, If Any
Minneapolis, MN BERNIE SANDERS	JOHN D. PERDUE	NONPARTISAN BALLOT OF ELECTION O
TOM STEYER	Cross Lanes Kanawha Co.	JUSTICE OF THE SUPREME COURT OF APPEALS OF WEST VIRGINIA - DIVISION
TULSI GABBARD	FOR COMMISSIONER OF AGRICULTURE (Vote for ONE)	UNEXPIRED TERM (Vote for ONE)
Kailua, HI	BOB BEACH	JOHN A HUTCHISON
South Bend, IN MICHAEL R. BLOOMBERG	Morgantown Monongalia Co. WM J.R. KEPLINGER	Beckley Raleigh
New York, NY	Moorefield Hardy Co.	Charleston Kanawha
New York, NY	Tunnelton Preston Co.	Ripley Jackson
Denver, CO	FOR ATTORNEY GENERAL (Vote for ONE)	Write-in, If Any
Wilmington, DE	SAM BROWN PETSONK	NONPARTISAN BALLOT OF ELECTION O MAGISTRATE - DIVISION 1
Parkersburg, WV	Edmond Fayette Co.	(Vote for ONE)
FOR U.S. SENATOR (Vote for ONE)	Franklin Pendleton Co.	Doddridge
DIGUE DODD	FOR STATE SENATE 2ND SENATORIAL DISTRICT	Doddridge
RICHIE ROBB South Charleston Kanawha Co.	(Vote for ONE)	DEANNA "DEEDEE" NICHOLSON Doddridge
RICHARD N OJEDA II Holden Logan Co.	CARLA JONES Fairview Marion Co.	BRENDA UNDERWOOD Doddridge
PAULA JEAN SWEARENGIN Sophia Raleigh Co.	JOSH GARY Mcmechen Marshall Co.	Write-in, If Any
U.S. HOUSE OF REPRESENTATIVES 1ST CONGRESSIONAL DIST. (Vote for ONE)	NONPARTISAN BALLOT OF ELECTION OF JUDICIAL OFFICERS	NONPARTISAN BALLOT OF ELECTION C MAGISTRATE - DIVISION 2 (Vote for ONE)
TOM PAYNE Keyser Mineral Co.	NONPARTISAN BALLOT OF ELECTION OF JUSTICE OF THE SUPREME COURT OF APPEALS OF WEST VIRGINIA - DIVISION 1	OLIVIA A ADAMS
NATALIE CLINE	(Vote for ONE)	Write-in, If Any
Wheeling Ohio Co. STATE TICKET	RICHARD NEELY Kanauka Ca	COUNTY TICKET
	Charleston Kanawha Co. TIM ARMSTEAD	
FOR GOVERNOR (Vote for ONE)	Elkview Kanawha Co. DAVID HUMMEL, JR. Marshall Co.	FOR COUNTY COMMISSIONER (Vote for ONE)
STEPHEN SMITH	Moundsville Marshall Co.	NO CANDIDATE(S) FILED
RON STOLLINGS	Carlo and a second second second	
DOUGLAS HUGHES		FOR PROSECUTING ATTORNEY (Vote for ONE)
BEN SALANGO		NO CANDIDATE(S) FILED
JODY MURPHY		
Parkersburg Wood Co.		
		VOTE BOTH SIDES
1		PRECINCT 4
POLL CLERKS	POLL CLERKS	Typ:02 Seq:0002 Spl:01



COUNTY OF DODDRIDGE, TO-WIT:

COUNTY TICKET

FOR ASSESSOR (Vote for ONE)

NO CANDIDATE(S) FILED

We, the undersigned Ballot Commissioners for said County and State, do hereby certify that the foregoing is a SAMPLE BALLOT for the DEMOCRATIC PARTY, prepared from Certification furnished by the Secretary of State as provided by law, and that said ballot includes all candidates of the DEMOCRATIC PARTY to be voted for at the Primary Election to be held on Tuesday, June 9, 2020.

> Lorena Catee Slater, County Clerk Donna Heflin, Ballot Commissioner Lowell McAfee, Ballot Commissioner Board of Ballot Commissioners Of Doddridge