

Date of Primary Election is June 9, 2020

Legal Advertisement

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,

v.

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 (4th Cir. 1975).

MOTION FOR SUMMARY JUDGMENT

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 reviews all the evidence "in the light most favorable" to the nonmoving party. Providence Square, 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. Anderson v. Liberty Lobby, 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. Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986). Once the moving party has made the necessary showing, the non-moving party "must set forth specific facts showing that there is a genuine issue for trial." Anderson, 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.

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. If 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

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@steptoe-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

Official Ballot of the Democratic Party, Doddridge County Primary Election, May 12, 2020. Includes sections for State Ticket, National Ticket, and County Ticket with various candidates and voting instructions.

County Ticket section of the ballot, including positions for Assessor, Surveyor, Board of Education, and Conservation District Supervisor.

STATE OF WEST VIRGINIA COUNTY OF DODDRIDGE, TO-WIT:

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