

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

KASSERMAN AND BOWMAN, PLLC,

PLAINTIFF,

v.

CIVIL ACTION NO.: 05-C-1363

JANE L. CLINE,

DEFENDANT.

FILED
OCT 22 10:54
[Signature]

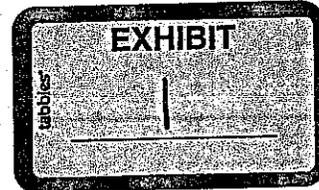
FINAL ORDER

On a former date came the Plaintiff, Kasserman and Bowman, PLLC, through its attorney and came the defendant, Jane L. Cline, in her capacity as the State of West Virginia Offices of the Insurance Commissioner, Defendant, through her attorney, upon the Plaintiff's Motion for Summary Judgment.

After reading the Memorandums of Law submitted by the parties and after hearing the arguments of counsel, it is the FINAL ORDER of this Court that the Plaintiff's Motion is denied. The Court finds that West Virginia Code § 23-2-5-16 does not permit a 20% contingency fee to be awarded upon the settlement of medical benefits in a Workers' Compensation claim.

The Circuit Clerk is directed to send a certified copy of this Final Order to the attorneys of record.

Entered this 17th day of October, 2007.



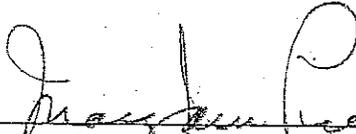
Jennifer Bailey Walker
Honorable Jennifer Bailey Walker, Judge

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, SS
I, CATHY S. GATSON, CLERK OF THE CIRCUIT COURT OF SAID COUNTY
AND IN SAID STATE, DO HEREBY CERTIFY THAT THE FOREGOING
IS A TRUE COPY FROM THE RECORDS OF SAID COURT
GIVEN UNDER MY HAND AND SEAL OF SAID COURT THIS 29
DAY OF October, 2007
Cathy S. Gatson CLERK
CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA et

OCT 23 2007

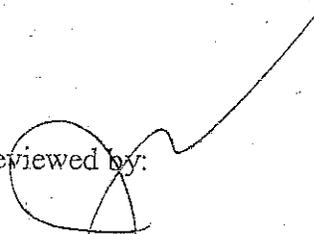
Kasserman and Bowman v. Cline
Final Order
Page Two

Submitted by:



Mary Jane Pickens, W.Va. Bar 2903
General Counsel
State of West Virginia, Offices of the
Insurance Commissioner
1124 Smith Street
P.O. Box 50540
Charleston, WV 25305-0540
304-558-0401 (telephone)
304-558-1362 (facsimile)

Reviewed by:



Jonathan C. Bowman, Esquire
W.Va. Bar 7129
KASSERMAN & BOWMAN, PLLC
21 Waddles Run Road, Suite 202
Wheeling, West Virginia 26003
304-233-0288 (telephone)
304-233-0449 (facsimile)