

In the Circuit Court of Kanawha County, West Virginia

American Humanist Association,
Plaintiff,

v.

Case No. CC-20-2025-C-48
Judge Richard D. Lindsay

**West Virginia Water Development
Authority,
Marie Prezioso,**
Defendants

ORDER

On June 23, 2025, the Parties appeared before this Court for a hearing concerning the then-pending Motion to Dismiss filed by the Defendants. The Court at that hearing denied Defendants' Motion to Dismiss and further ordered that the Parties again appear before the Court for an evidentiary hearing on July 9, 2025. The Court thereafter issued an Order setting the date of that hearing and requiring that the Parties be prepared to submit all evidence. The hearing was held as scheduled, and having heard the testimony of Defendant Marie Prezioso and counsels' argument, the Court orders the following:

1. The Court declines to enter an Order with respect to Plaintiff's request for injunctive and declaratory relief at this time and will not enter such an Order until thirty days from the date this Order is entered on the docket. The Court hereby orders that within thirty days, Defendants' counsel must seek documentation from Defendants and the College of St. Joseph the Worker showing what the College may and may not spend grant money on. Defendants' counsel must file such documentation with the Court before the expiration of the thirty days.

2. Within two weeks of the date this Order is entered on the docket, counsel for

the parties must confer regarding attorneys' fees.

3. Defendants' oral Motion for Summary Judgment made at the hearing is denied, having reviewed the evidence in the record and the relevant law.

SO ORDERED.

The Clerk shall send a copy of this Order to all counsel of record.

Prepared By:

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/s/ Richard D. Lindsay

Circuit Court Judge
8th Judicial Circuit

Note: The electronic signature on this order can be verified using the reference code that appears in the upper-left corner of the first page. Visit www.courtswv.gov/e-file/ for more details.