

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

**CABELL COUNTY BOARD
OF EDUCATION**

Plaintiff,

v.

**ERIC A. MORRISON and
E.T. ADVISOR SERVICES, LLC,**

Civil Action No. 22-C-327

Defendants,

v.

**CABELL COUNTY BOARD
OF EDUCATION,**

Counterclaim Defendant.

**COUNTERCLAIM DEFENDANT CABELL COUNTY BOARD OF EDUCATION'S
MOTION TO DISMISS DEFENDANTS' COUNTERCLAIM**

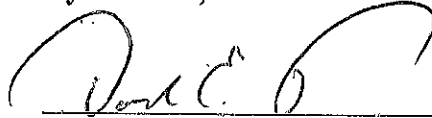
Now comes Cabell County Board of Education, ("Counterclaim Defendant"), by and through counsel, Perry W. Oxley, David E. Rich, Katee E. Neltner, and the law firm of Oxley Rich Sammons PLLC, pursuant to Rule 12(b)(6) of the West Virginia Rules of Civil Procedure, and hereby moves this Court to dismiss all claims asserted against them in Defendants Eric A. Morrison and E.T. Advisor Services, LLC,'s Answer and Counterclaim. For the reasons set forth more fully in the associated Memorandum of Law filed contemporaneously herewith, this Counterclaim Defendant respectfully moves this Honorable Court for an Order dismissing the Defendants' claims asserted against them.

WHEREFORE, Counterclaim Defendant Cabell County Board of Education, by and through legal counsel, moves the Court for the entry of an Order dismissing the entirety of the

claims asserted against it, as well as any additional relief that this Court deems fair and equitable under the present circumstances.

**CABELL COUNTY BOARD
OF EDUCATION**

By Counsel,



Perry W. Oxley (WVSB #7211)
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CERTIFICATE OF SERVICE

The undersigned counsel for Counterclaim Defendant, Cabell County Board of Education served the foregoing "*Counterclaim Defendant Cabell County Board of Education's Motion to Dismiss Defendants' Counterclaim*" via electronic mail and by depositing a true copy of the same in the United States first-class mail, postage prepaid on this 18th day of **January 2023**, upon the following:

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A handwritten signature in black ink, appearing to read "Perry W. Oxley", written over a horizontal line.

Perry W. Oxley (WVSB #7211)
David E. Rich (WVSB #9141)
Katee E. Neltner (WVSB #14015)