

STATE OF WEST VIRGINIA

At a regular term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 25th day of September, 2013, the following order was made and entered:

Dan Salamie, Petitioner

vs.) No. 13-0838

Bruce P. Conrad and T.D. Ameritrade, Inc.,
Respondents

ORDER

On August 13, 2013, came the petitioner, Dan Salamie, *pro se*, and presented to the Court a motion in writing to file the notice of appeal out-of-time in the above-captioned matter, together with a notice of appeal of an order entered in the Circuit Court of Kanawha County (Case No. 12-C-2469) on June 27, 2013.

Thereafter, on August 20, 2013, came the respondent, T. D. Ameritrade, Inc., by counsel Mychal S. Schulz, Esq., and Jennifer J. Hicks, Esq., Dinsmore & Shohl, and filed their response in opposition thereto. On August 23, 2013, came the respondent Bruce P. Conrad, by counsel William V. DePaulo, Esq., and filed his response in opposition thereto.

Upon consideration thereof, the Court is of the opinion to and does hereby refuse said motion.¹

The respondent Bruce Conrad requests costs and attorney's fees due to the meritless nature of the appeal. The request for attorney's fees is hereby refused.

The petitioner is hereby prohibited from filing successive lawsuits, in any form, against T.D. Ameritrade, Bruce Conrad, their affiliates, agents, and or attorneys, arising out of this matter.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court



¹ On September 16, 2013, the petitioner submitted a motion to file a reply, together with a reply to the responses to the motions. The petitioner's motion for leave to file a reply to the responses to the motions is hereby refused.