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	CABELL COUNTY BOARD
	OF EDUCTION
	Plaintiff,
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I. Statement of Facts

On September 22, 2022, Plaintiff Cabell County Board of Education ("CCBOE") filed its complaint in the Circuit Court of Cabell County, West Virginia as a result of the alleged actions

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	paid hotel reservations would be refunded to the Morrison Defendants. Plaintiff/Counterclaim		
	Defendant again toguested a refund and finite an account of the first		
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	grhools to the Marrison Defendants The Marrison Defendants		
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that is plausible on its face." Bell, 550 U.S. a 570.

III. Argument

	All counterclaims asserted against the Counterclaim Defendant, and contained in the
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The Morrison Defendants' claims regarding defamation in relation to the statements of the CCBOE and/or their agent(s) on July 23, 2020 (Counts VI and VII) had to be filed on or before July 23, 2021—one year from the date of the alleged defamatory statements. Additionally, the Morrison Defendants' claims of defamation in relation to the statements of the CCBOE and/or their agent(s) on November 30, 2021 (Counts VIII and IX) had to be filed on or before November 30, 2022. Considering the Morrison Defendants failed to assert these claims in any court until December 1, 2022, the statute of limitations related to these claims has expired. Thus, the Morrison Defendants' defamation claims fail as a matter of law and should be dismissed by this Court.

	this Court.	
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Parkersburg Sentinel Co., 125 W.Va. 731, 744, 26 S.E.2d 209, 215 (1943); England v. Daily Gazette Co., 143 W.Va. 700, 104 S.E.2d 306 (1958); Mauck v. City of Martinsburg, 280 S.E.2d 216, 221 (W.Va.1981). The thrust of this privilege is that there is a "public policy that it is essential that true information be given whenever it is reasonably necessary for the protection of one's own interests, the interests of third persons or certain interests of the public." Id. Here, the statements were made in good faith by agents of the CCBOE who had an interest and a duty to relay information regarding the subject matter, as well as, any developments in the ongoing dispute between CCBOE and the Morrison Defendants.

dispute between CCBOE and the Morrison Defendants.	
The Course Court further hald that " neivilage and tent 11 - 1 C . 1 . 1	* 4 - 44
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liability once established." "A plaintiff must show that false and defamatory statements were

IV. <u>Conclusion</u>

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	County Board of Education respectfully moves this Court to enter an Order dismissing all
	Sound of Education respectivity moves this court to enter an Order dismissing an
	counterclaims asserted against them with prejudice for failure to state a claim upon which relief
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IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

CABELL COUNTY BOARD OF EDUCTION

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CABELL COUNTY BOARD

Plaintiff,

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	v.	
	ERIC A. MORRISON and	
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	Defendants,	

Co-Counsel for Plaintiff

Clinton W. Smith, Esq.
Mezzanine Suite 4
405 Capitol Street
Charleston, West Virginia 25301
cwsmithlawyer@aol.com
Counsel for Defendants

Perry W. Oxley (WVSB #7211)

David E. Rich (WVSB #9141)

Katee E. Neltner (WVSB #14015)