



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION REGARDING THE
APPOINTMENT OF OUTSIDE COUNSEL ON BEHALF OF
THE BERKELEY COUNTY SOLID WASTE AUTHORITY**

The Berkeley County Solid Waste Authority (the "Authority") is in need of legal representation in conjunction with ongoing litigation involving a mechanic's lien. More specifically, the Authority seeks counsel to assist staff with ongoing litigation styled *Lemartec Corp. v. EntSORGA West Virginia LLC et al.*, Civil Action No. 3:18-cv-22, in the United States District Court for the Northern District of West Virginia.

In accordance with the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that it is both cost-effective and in the interest of the public to appoint outside counsel to assist with the legal matters in question, based on the following factors:

- The matter at issue requires particular and specialized expertise in mechanic's lien law that would benefit from the assistance of outside counsel.
- Berkeley County is the primary geographic area where the legal services will be performed.
- It is not feasible or cost-effective for the Office of the Attorney General to provide the requested legal services without the assistance of outside counsel at this time.

Accordingly, the Attorney General authorizes the appointment of outside counsel in the current legal matter pursuant to commencement of the request for proposal process laid out in subsection (D) of Policy #WVAGO-004.

A handwritten signature in black ink, appearing to read "Steven A. Travis".

Steven A. Travis
Deputy General Counsel

Date Signed: March 5, 2018