



State of West Virginia  
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION APPOINTING  
DINSMORE & SHOHL LLP  
AS OUTSIDE COUNSEL ON BEHALF OF  
THE WEST VIRGINIA BOARD OF PUBLIC WORKS,  
WEST VIRGINIA SECRETARY OF STATE, AND STATE TAX COMMISSIONER**

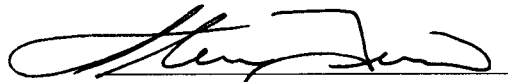
The West Virginia Board of Public Works (hereinafter "Board"), West Virginia Secretary of State, and State Tax Commissioner sought the assistance of outside counsel to provide legal assistance with active litigation. More specifically, counsel was sought to provide representation in the following matters: *Kanawha River Railroad, LLC v. Board of Public Works*, Civil Action No. 18-C-39, pending in the Circuit Court of Fayette County; *Kanawha River Railroad, LLC v. Board of Public Works*, Civil Action No. 18-AA-2, pending in the Circuit Court of Raleigh County; *Shenandoah Personal Communications Company, LLC v. WV Board of Public Works*, Civil Action No. 18-P-80, pending in the Circuit Court of Kanawha County; *Shenandoah Personal Communications Company, LLC v. WV Board of Public Works*, Civil Action No. 18-AA-1, pending in the Circuit Court of Berkeley County; and *Blue Race NGL Pipelines, LLC v. Dale W. Steager, State Tax Commissioner, Mac Warner, Secretary of State and Ex-Officio Secretary of the Board of Public Works*, Civil Action No. 18-P-11, pending in the Circuit Court of Marshall County.

Pursuant to the written determination issued on March 26, 2018, the Office of the Attorney General determined that it was both cost-effective and in the interest of the public to appoint outside counsel to assist with the needed legal services. Requests for proposals, RFP # 67 and 68, were issued, and subsequently renewed, in accordance with subsection (D) of the Attorney General's Policy on Outside Counsel (Policy #WVAG0-004).

As of the April 20 2018, deadline for proposals, the Office of the Attorney General received two timely proposals for legal services in response to RFP #67 and one timely proposal in response to RFP #68. After a review of the proposals received, the Office has determined that the law firm of Dinsmore & Shohl LLP ("Dinsmore") submission is the most competitive proposal for legal services pursuant to Section E of Policy # WVAG0-004, based on the following factors:

- Dinsmore has the requisite attorneys and staff in the geographic area where the legal services are to be performed, and is readily available to perform the needed services in a timely manner;
- Dinsmore has the requisite litigation experience; and
- Dinsmore has agreed to perform the needed legal services at the most competitive hourly rate.

Based on the factors set forth above, the Office of the Attorney General authorizes the appointment of Dinsmore & Shohl LLP to serve as outside counsel for the legal matter cited herein pursuant to Section (E) of Policy # WVAGO-004.



Steven A. Travis  
Deputy General Counsel  
Dated: May 14, 2018