



State of West Virginia
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION APPOINTING
BAILEY & GLASSER LLP AS
OUTSIDE COUNSEL ON BEHALF OF THE GOVERNOR OF WEST VIRGINIA**

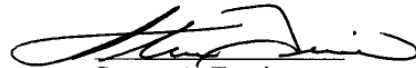
The Governor of West Virginia (hereinafter “Governor”) is seeking the assistance of outside counsel to assist with currently pending litigation. More specifically, the Governor is seeking legal assistance to defend litigations styled: *Andrew Stewart et al. v. James C. Justice, II, et al.* Civil Action No. 3:20-cv-00611, currently pending in the United States District Court for the Southern District of West Virginia and *Eden LLC et al., v. Jim Justice*, Civil Action No. 5:20 cv-201, currently pending in the United States District Court for the Northern District of West Virginia.

Pursuant to the written determination issued on October 2, 2020, the Office of the Attorney General determined that due to the potential conflict of interest that may be created through the legal defense strategies available in this matter it was appropriate to appoint qualified outside counsel to assist the Governor with this matter. A request for proposals, RFP # 92, was thereafter issued in accordance with subsection (D) of the Attorney General’s Policy on Outside Counsel (Policy #WVAG0-004).

As of the October 7, 2020, deadline for proposals, the Office of the Attorney General received seven timely proposals for legal services. After a review of the proposals received, the Governor selected the law firm of Bailey & Glasser LLP (“Bailey & Glasser”) to provide the legal services based on the following factors:

- Bailey & Glasser possesses the needed particular and specialized expertise;
- Bailey & Glasser is familiar with the legal issues at issue and has previously provided the Governor with legal representation leading to favorable results on similar matters; and
- Bailey & Glasser has agreed to provide the needed legal services at a rate that is discounted from their standard rates.

Based on the factors set forth above, as evaluated by the Governor, the Office of the Attorney General authorizes the appointment of Bailey & Glasser to serve as outside counsel for the legal matters cited herein pursuant to Section (E) of Policy # WVAGO-004.

A handwritten signature in black ink, appearing to read "Steven A. Travis". The signature is fluid and cursive, with a prominent loop at the end.

Steven A. Travis
Deputy General Counsel

Date Signed: October 9, 2020