



State of West Virginia  
Office of the Attorney General

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Attorney General

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**WRITTEN DETERMINATION APPOINTING  
OUTSIDE COUNSEL ON BEHALF OF  
THE WEST VIRGINIA SECRETARY OF STATE'S OFFICE**

The West Virginia Secretary of State's Office (hereinafter "WVSOS") sought the assistance of outside counsel to provide legal services related to potential legal challenge(s) to West Virginia Code provisions governing the nomination process for individuals seeking election to federal office.

Pursuant to the written determination issued on May 21, 2018, the Office of the Attorney General determined that due to the potential conflicts that may arise in these potential actions the Office deems it appropriate and in the best interests of the State to appoint qualified outside counsel to assist the West Virginia Secretary of State with these important matters. A request for proposals, RFP # 70, was issued in accordance with subsection (D) of the Attorney General's Policy on Outside Counsel (Policy #WVAG0-004).

As of the May 28, 2018, deadline for proposals, the Office of the Attorney General received two timely proposal for legal services. After a review of the proposal received, WVSOS has determined that the law firm of Nelson Mullins Riley & Scarborough LLP ("Nelson Mullins") submitted the most competitive proposal for legal services pursuant to Section E of Policy # WVAG0-004, based on the following factors:

- Nelson Mullins possesses the particular and specialized expertise in election law.
- Nelson Mullins is providing the needed legal services at a competitive rate.

Based on the factors set forth above, as evaluated by the WVSOS, the Office of the Attorney General authorizes the appointment of Nelson Mullins to serve as outside counsel for the legal matters cited herein pursuant to Section (E) of Policy # WVAG0-004.

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

Steven A. Travis  
Deputy General Counsel

Date Signed: June 5, 2018