



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  
WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY, and TRAINING**

The West Virginia Office of Miners' Health, Safety, and Training (hereinafter the "OMHST") is in need of legal representation to assist with legal issues, including potential litigation before the courts having jurisdiction, regarding the bankruptcies filed by various coal operators, including, Alpha Natural Resources, Patriot Coal Company, Arch Coal Company, James River Coal, Walter Energy, Inc., Trinity Coal Corporation, Xinerger Limited, Cobalt Coal Corporation Mining Inc., and their subsidiary or related companies.

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 the OMHST with the legal matter set forth herein, based on the following factors:

- The matter at issue requires particular specialized expertise in bankruptcy law not currently possessed by the Office of the Attorney General.
- There is a need for the prompt appointment of counsel in order to protect the interests of the State of West Virginia.
- It is not feasible or cost-effective for the Office of the Attorney General to provide the requested legal services.

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

  
J. Robert Leslie  
Senior Deputy Attorney General

Date Signed: February 9, 2016