



State of West Virginia  
Office of the Attorney General

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Attorney General

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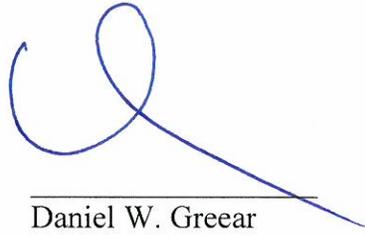
**WRITTEN DETERMINATION REGARDING THE APPOINTMENT OF OUTSIDE  
COUNSEL ON BEHALF OF WEST VIRGINIA UNIVERSITY**

West Virginia University (hereinafter “WVU” or the “University”) has requested legal representation from the Office of the Attorney General in a matter involving the eligibility of a student athlete with the National Collegiate Athletic Association (“NCAA”). More specifically, the University is in need of an attorney or attorneys familiar with NCAA eligibility work to represent the University on a time-sensitive eligibility matter that needs resolved prior to the start of the college football season on August 31, 2013.

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 the law firm of Bond, Schoeneck & King to represent the University in the pending litigation, based on the following factors.

- The legal services in question require specialized expertise and familiarity with NCAA rules and regulations regarding student athlete eligibility, as well as the NCAA’s administrative process for making determinations regarding eligibility;
- WVU is looking for legal representation that has a significant amount of experience dealing with the NCAA eligibility process;
- The Attorney General’s Office does not currently have the sufficient and appropriate legal resources to handle the matter in question;
- The Office of the Attorney General does not currently possess the needed expertise regarding NCAA eligibility guidelines;
- It would require a significant time commitment from the Office of the Attorney General to familiarize itself with the particular issues relating to the legal matter in question;
- The legal services in question are time sensitive, as the eligibility issues must be resolved prior to the August 31<sup>st</sup> start of the NCAA college football season;
- The attorney services needed are to be provided primarily by telephone and e-mail.
- The law firm of Bond, Schoeneck & King has a Collegiate Sports Practice Group that is one of the leading groups in the nation with more than 100 years of combined expertise representing colleges and universities in NCAA rules compliance and eligibility matters; and
- Bond, Schoeneck & King is able to provide the legal services needed in a timely manner.

Because this matter involves an emergency situation that requires time-sensitive legal services that cannot be adequately provided by the Attorney General's Office, and for which insufficient time exists to complete the customary competitive bidding process, the Office of the Attorney General determines that requests for proposal are not necessary pursuant to section (D)(1) of Policy #WVAGO-004.



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Daniel W. Greear  
Chief Counsel

Date Signed: July 26, 2013