



STATE OF WEST VIRGINIA  
OFFICE OF THE ATTORNEY GENERAL  
CHARLESTON, WEST VIRGINIA 25305

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**WRITTEN DETERMINATION REGARDING THE APPOINTMENT OF OUTSIDE COUNSEL  
ON BEHALF OF THE RALEIGH COUNTY SOLID WASTE AUTHORITY**

The Raleigh County Solid Waste Authority (hereafter "the Authority") has requested permission to re-appoint their existing legal counsel, Mr. John Rist, Attorney at Law, to serve throughout the pendency of Civil Action No. 13-C-138B, which was recently filed in Raleigh County Circuit Court.

Pursuant to West Virginia Code Section 22C-4-9, the Attorney General is authorized to "provide legal counsel and representation to each county and regional solid waste authority within the existing resources and appropriations available for such purposes" or provide "written approval" for the Authority to "employ counsel to represent it."

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 authorize the appointment of Mr. John Rist as outside counsel to represent the Authority in the current legal matter, based on the following factors:

- Mr. Rist has served in the capacity of legal counsel for the Authority since his original appointment in 1991.
- Mr. Rist is already knowledgeable of the Authority's legal matters, and is readily accessible to provide legal services.
- The Authority requires legal representation in a pending lawsuit (Civil Action No. 13-C-138B) filed in the Circuit Court of Raleigh County.
- The lawsuit relates to matters with which Mr. Rist is already familiar, and as such Mr. Rist can provide specialized legal services that are not currently available within the Office of the Attorney General.
- The geographic area where the attorney services are to be performed make Mr. Rist's appointment more cost-effective than the services that could be provided by the Office of the Attorney General.

Because this matter involves the continuation of a previous legal appointment, and the renewal of Mr. Rist's legal services would necessarily avoid disrupting a pending legal matter, the Office of the Attorney General determines that requests for proposal are not necessary pursuant to section (D)(2) of Policy #WVAGO-004.

A handwritten signature in black ink, appearing to read "Dan Greear".

Dan Greear  
Chief Counsel

Date Signed: March 29, 2013