



State of West Virginia  
Office of the Attorney General

Patrick Morrissey  
Attorney General

(304) 558-2021  
Fax (304) 558-0410

**WRITTEN DETERMINATION REGARDING THE APPOINTMENT OF ZIEGLER &  
ZIEGLER TO SERVE AS OUTSIDE COUNSEL ON BEHALF OF THE WEST  
VIRGINIA DIVISION OF NATURAL RESOURCES**

The West Virginia Division of Natural Resources (hereinafter "West Virginia DNR"), requested legal representation in conjunction with the purchase of property situated in Pendleton County. The property is an approximately 0.350 acre parcel owned by Linda K. Sponaugle and Donna Jean Smith. The West Virginia DNR is in need of an attorney to abstract the title, prepare a title report, prepare the deed, and hold the closing on or before September 2, 2013.

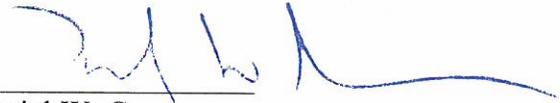
Pursuant to the written determination issued on June 13, 2013, the Office of the Attorney General determined that it was both cost-effective and in the interest of the public to appoint outside counsel to assist West Virginia DNR with the purchase of the subject property. A Request for Proposals was issued in accordance with subsection (D) of the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004).

As of the July 1, 2013, deadline for proposals, the Office of the Attorney General received one timely proposal for legal services from Ziegler & Ziegler, L.C. Based on the proposal received, the Office has determined that:

- The bidding law firm possesses the requisite skills and expertise needed to handle the legal matter in question;
- The bidding law firm possesses the requisite staffing and support to handle the scope of the legal matter in question;
- The bidding law firm appears to be in compliance with all applicable laws of the State of West Virginia, and does not appear to have been subject to reprimand by the West Virginia State Bar, or other entities, for unethical conduct;
- As the only bidding law firm, Ziegler & Ziegler has proposed to perform all necessary legal work for a flat fee of \$2,490.00; West Virginia DNR is comfortable with the fee rate proposed by Ziegler & Ziegler; and
- Given the time constraints associated with the work to be performed, the geographic location (Pendleton County) of the needed legal services, and the previously published parameters of the recently

conducted RFP process, the Attorney General's Office does not believe that it is in the best interest of the State to submit this matter to another RFP process pursuant to Section F of the Outside Counsel Policy.

Based on the factors set forth above, and consultation with the West Virginia DNR, the Office of the Attorney General authorizes the appointment of Ziegler & Ziegler to serve as outside counsel for the legal matters cited herein pursuant to subsection (E) of Policy #WVAGO-004.



---

Daniel W. Greear  
Chief Counsel

Date Signed: July 8, 2013