



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 OUTSIDE COUNSEL ON BEHALF OF MARSHALL UNIVERSITY**

Marshall University (hereinafter "Marshall") has requested legal representation in conjunction with currently pending immigration matters. As background, in 2008, Michael Lin of the law firm of Braverman & Lin, PC, was selected to perform immigration related counseling services for Marshall. Pursuant to the purchasing agreement, Mr. Lin was to provide these services until the agreement was terminated.

Currently, Mr. Lin is handling twelve immigration matters for Marshall. Of note, a number of these matters are time sensitive as they involve visas for faculty members who are scheduled to begin teaching at Marshall during the fall semester of 2013.

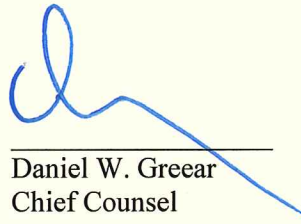
In accordance with the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004), the Office of the Attorney General has determined that it is both cost-effective and in the interest of the public to appoint Mr. Lin of Braverman & Lin, PC, to assist Marshall with its pending immigration matters, based on the following factors:

- The matters at issue require particular expertise in immigration law not currently possessed by the Office of the Attorney General.
- The legal services needed would require a significant time commitment from the Office of the Attorney General to familiarize itself with both the particular facts surrounding each immigration matter and immigration law generally.
- There is a particular need for a private attorney with experience handling immigration matters in the context of higher education.
- The legal services needed do not require traveling to Marshall, or any other places.
- Mr. Lin has counseled Marshall on immigration issues for a number of years and has already begun working on twelve pending immigration matters.
- Marshall has successfully negotiated a \$1,000 per petition/filing rate from Mr. Lin for the legal services to be performed.
- Prompt and informed legal representation is needed to assure Marshall's interests in the pending immigration matters are met.

- It is not feasible or cost-effective for the Office of the Attorney General to provide the required legal services using its staff.
- Mr. Lin is the only attorney in position to timely provide the legal services needed at the cost-effective rate that Marshall has previously secured.

Inasmuch as the requested legal services involve both (1) an emergency situation that requires time-sensitive legal services that cannot adequately be provided by the Office of the Attorney General and (2) the continuation of a previous legal appointment necessary to avoid disruption in pending legal matters, the Office of the Attorney General determines that requests for proposal are not feasible pursuant to sections (D)(1) & (2) of Policy #WVAGO-004 and accordingly authorizes Mr. Lin of Braverman & Lin, PC, to complete the twelve pending immigration matters.

The Office of the Attorney General further notes that future immigration counseling services needed by Marshall that are not addressed in this written determination will be the subject of a future written determination and accompanying request for proposal.



Daniel W. Greear
Chief Counsel

Date Signed: May 29, 2013