



State of West Virginia
Office of the Attorney General

Patrick Morrissey
Attorney General

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**WRITTEN DETERMINATION APPOINTING
SPILMAN THOMAS & BATTLE, PLLC AS OUTSIDE COUNSEL ON BEHALF OF
THE WEST VIRGINIA DIVISION OF TOURISM**

The West Virginia Division of Tourism (the "WVT") has requested legal representation to assist with various issues regarding certain logos and phrases used for brand identification and advertising travel to West Virginia.

More specifically, the WVT seeks legal representation to assist with trademark registrations and renewals, as well as legal assistance with licensing agreements associated with those trademarks.

Pursuant to the written determination issued on November 6, 2015, 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 the WVDHHR with the needed legal services. A request for proposals was issued in accordance with Section (D) of the Attorney General's Policy on Outside Counsel (Policy #WVAGO-004).

In response to the request for proposal, the Office of the Attorney General received several proposals for legal services. After reviewing the proposals and consulting with the WVT, the Office has determined that the appointment of Spilman Thomas & Battle, PLLC ("Spilman") is appropriate, based on the following factors:

- Spilman has the requisite skills and expertise needed to handle the legal matter in question;
- Spilman possesses the requisite staffing and support to handle the scope of the legal matter in question;
- Spilman has agreed to provide many of the needed legal services on a flat rate basis; and
- Spilman's proposal is responsive to the WVT's needs, and of those who submitted proposals, is WVT's preferred counsel for this matter.

Based on the factors set forth above, and in consultation with the WVDHHR, the Office of the Attorney General authorizes the appointment of Spilman Thomas & Battle, PLLC to serve as outside counsel for the legal matters cited herein for a period of one year pursuant to Section (E) of Policy #WVAGO-004.

A handwritten signature in black ink, reading "J. Robert Leslie". The signature is written in a cursive style with a large initial "J".

J. Robert Leslie
Senior Deputy Attorney General

Date Signed: February 1, 2015