

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on November 22, 2010, the following order was made and entered:

State of West Virginia ex rel. West Virginia Citizen Action Group, Petitioner

vs.) No. 101494

Earl Ray Tomblin, President of the West Virginia Senate, Richard Thompson, Speaker of the West Virginia House of Delegates, and Natalie E. Tennant, Secretary of State of West Virginia, Respondents

On a former day, to-wit, November 19, 2010, came the petitioner, West Virginia Citizen Action Group, by Kathryn Reed Bayless, Bayless Law Firm, its attorney, and presented to the Court its petition seeking a writ of mandamus as prayed for therein. Later on that day, came the respondent, Richard Thompson, by Anthony J. Majestro, Powell & Majestro, pllc, his attorney, and presented to the Court his motion to expedite.

Upon consideration whereof, the Court is of the opinion to and does hereby refuse the motion to expedite.

Pursuant to Rule of Appellate Procedure 14(b), the respondents are hereby directed to file an original and nine copies of a written response to the petition on or before December 27, 2010.

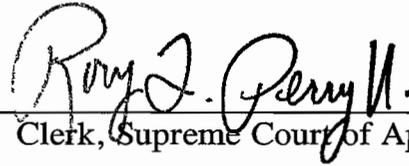
Motions to intervene, under Rule 22 of the Rules of Appellate Procedure, may be filed on or before December 15, 2010. Motions for leave to file a brief as amicus curiae in support of any party, under Rule 19 of the Rules of Appellate Procedure, must be filed on or before December 15, 2010.

The Court will thereafter consider whether to issue a rule to show cause, and the parties will be informed of the Court's decision by written order.

Chief Justice Davis deemed herself disqualified and did not participate in the consideration or deliberation of this matter.

A True Copy

Attest:

A handwritten signature in cursive script, reading "Roy J. Perry II". The signature is written over a horizontal line.

Clerk, Supreme Court of Appeals