

No. 31684 – *State of West Virginia ex rel. Erik P. Wells v. The Honorable James A. Matish, Judge of the Circuit Court of Harrison County, and WBOY-TV, a WV LCC*

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McGraw, Justice, dissenting:

I dissent from the majority because, in my view, it presumes that Petitioner is well-schooled in the area of contract negotiations simply because he “was an experienced anchor and reporter” who “was given the opportunity to examine the agreement at home and modifications were made after his overnight review.” Petitioner’s particularized knowledge and expertise in the field of broadcasting is one thing; however, absent any evidence to the contrary, the majority’s conclusion that Petitioner was equally experienced and sophisticated in the law is too great a leap. For this reason, I respectfully dissent.