

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on August 9, 2017, the following order was made and entered in vacation:

State of West Virginia ex rel.
The West Virginia Investment Management Board, and
The West Virginia Consolidated Public Retirement Board,
Petitioners

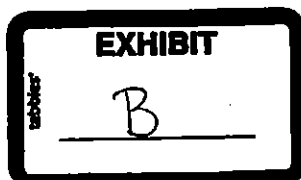
vs.) No. 17-0682

Honorable Christopher C. Wilkes, Panel Arbitrator
Judge of the Business Court Division; and
The Variable Annuity Life Insurance Company,
Respondents

SCHEDULING ORDER

On August 4, 2017, the petitioners, The West Virginia Investment Management Board and The West Virginia Consolidated Public Retirement Board, by counsel Benjamin L. Bailey, Jonathan R. Marshall, Thomas B. Bennett, and Raymond S. Franks II, Bailey & Glasser LLP; and Gerald R. Stowers, J. Mark Adkins, and S. Andrew Stonestreet, Bowles Rice LLP, presented to the Court a petition praying for a writ of prohibition to be directed against the respondents, as therein set forth.

It is hereby ordered that counsel for the respondent The Variable Annuity Life Insurance Company shall file a response to the petition, pursuant to Rule 16(g), Rules of Appellate Procedure, or a summary response, pursuant to Rule 16(h), on or before September 5, 2017. Pursuant to Rule 16(d), R.A.P., the presiding judicial officer of the lower tribunal is listed as the respondent herein. However, the presiding judicial officer is a nominal party and is not directed to file a response in this matter.



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Once the deadline for filing the response has passed, this matter will be mature for consideration by the Court pursuant to Rule 16(i). In due course thereafter, all parties will be notified in writing of any decision in the case.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court

