

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

STATE OF WEST VIRGINIA, ex rel. CITIES OF CHARLESTON AND HUNTINGTON AND COUNTY COMMISSIONS OF KANAWHA AND OHIO COUNTIES,

Petitioners,

v.

WEST VIRGINIA ECONOMIC DEVELOPMENT AUTHORITY, A PUBLIC CORPORATION,

Respondent.

AND

STATE OF WEST VIRGINIA ex rel. REV. JIM LEWIS AND JOHN COONEY,

Petitioners,

vs.

WEST VIRGINIA ECONOMIC DEVELOPMENT GRANT COMMITTEE, et al.,

Respondents.

AND

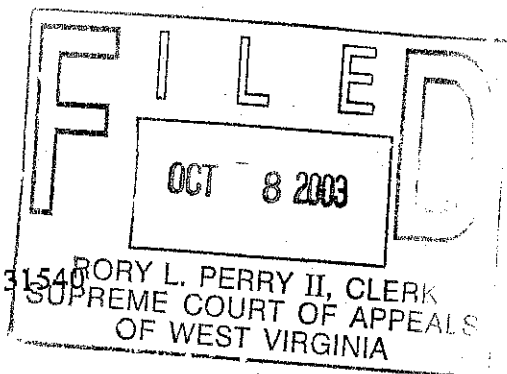
GREENBRIER COUNTY COALITION AGAINST GAMBLING EXPANSION; AND CABELL COUNTY COALITION AGAINST GAMBLING EXPANSION, UNINCORPORATED ASSOCIATIONS,

Petitioners,

vs.

WEST VIRGINIA LOTTERY COMMISSION; AND ITS DIRECTOR, JOHN MUSGRAVE,

Respondents.



No. 31540

No. 31541

No. 31564

MOTION FOR EQUAL ORAL ARGUMENT

The Petitioners, Rev. Jim Lewis, et al., and Greenbrier Coalition Against Gambling Expansion, et al., hereby move the Court as follows:

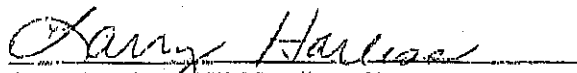
1. The citizen movants, since they are unquestionably on one side of these two controversies while the other parties are clearly on the other side must by the dictates of Rule 14(h) and Rule 12 of this Court's Rules, be allotted at least equal oral argument time, rather than 50 minutes for the 4 citizen petitioners and 2 hours and 90 minutes for the public entities and the private corporation arrayed against them. Indeed, Rule 12, by its explicit terms, requires that the citizen petitioners be allowed 50% more argument time than the parties adverse to them.

2. In the event that the citizen petitioners' motion to dismiss the Cities of Huntington and Charleston and the Counties of Kanawha and Ohio and the West Virginia Economic Development Authority is denied, those parties must be realigned as the adverse parties to the citizen petitioners which they in fact and in law assuredly are.

WHEREFORE, the citizen petitioners respectfully request that they be granted oral argument time at least equal to that of these parties adverse to them, as required by Rule 14(h) and Rule 12 of this Court's Rules.

**STATE OF WEST VIRGINIA ex rel. REV. JIM
LEWIS AND JOHN COONEY AND
GREENBRIER COUNTY COALITION
AGAINST GAMBLING EXPANSION;
AND CABELL COUNTY COALITION
AGAINST GAMBLING EXPANSION,
UNINCORPORATED ASSOCIATIONS
PETITIONERS**

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CERTIFICATE OF SERVICE

I hereby certify that this Motion for Equal Oral Argument was served by facsimile transmission on October 8, 2003, upon the following:

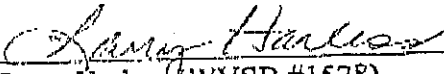
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