

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

State of West Virginia *ex rel.* Cities of Charleston and Huntington  
and its Counties of Ohio and Kanawha, West Virginia, Petitioner

vs.

WV Supreme Court of Appeals Docket No. 31540

West Virginia Economic Development  
Authority, Respondent

and

State of West Virginia *ex rel.* Rev. Jim Lewis and John Cooney, Petitioner

vs.

WV Supreme Court of Appeals Docket No. 31541

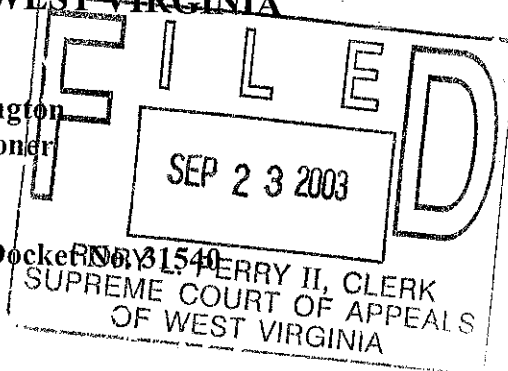
West Virginia Economic Development  
Grant Committee;  
West Virginia Economic Development Authority;  
City of Charleston; Kanawha County Commission;  
City of Huntington; and Ohio County Commission, Respondents.

MOTION FOR LEAVE TO PARTICIPATE AS AMICUS CURIAE

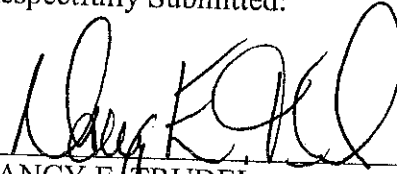
COMES NOW the Petitioner, in the above-captioned matter, respectfully requests leave of the Court to file an *amicus curiae* brief in the above-styled (consolidated) actions. Petitioner, the West Virginia High Technology Consortium Foundation, is a West Virginia non-profit, economic development corporation. James L. Estep is President and Chief Executive Officer of the organization which has a principal place of business located in Marion County, West Virginia. Petitioner's interests are likely to be affected by the outcome of the above-captioned matter.

Petitioner will detail the applicable law and its relevance to the facts at hand in its *amicus curiae* brief.

COPY



Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Nancy E. Trudel", written over a horizontal line.

NANCY E. TRUDEL,  
ATTORNEY AT LAW, WV#7518

General Counsel for:  
WEST VIRGINIA HIGH TECHNOLOGY CONSORTIUM FOUNDATION  
1000 Technology Drive, Ste. 1000  
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and its Counties of Ohio and Kanawha, West Virginia, Petitioner**

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West Virginia Economic Development Authority;  
City of Charleston; Kanawha County Commission;  
City of Huntington; and Ohio County Commission, Respondents.**

**CERTIFICATE OF SERVICE**

The undersigned, Nancy E. Trudel, does hereby certify that I have served the below-named parties by placing a copy of this Petition in U.S. Mail, First Class, on this, the 19<sup>th</sup> day of September, 2003, in envelopes properly stamped and addressed as follows, to-wit:

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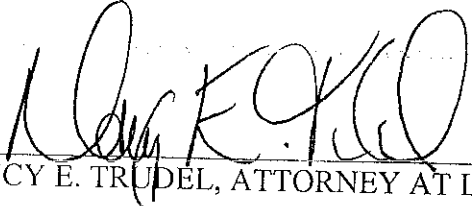
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\_\_\_\_\_  
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On Behalf of:  
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