

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

AT CHARLESTON

CONSOLIDATED NOS. 31540, 31541, and 31564

STATE OF WEST VIRGINIA, *ex rel.* CITIES OF
CHARLESTON AND HUNTINGTON AND ITS
COUNTIES OF OHIO AND KANAWHA, WV, *et al.*,

Petitioners,

v.

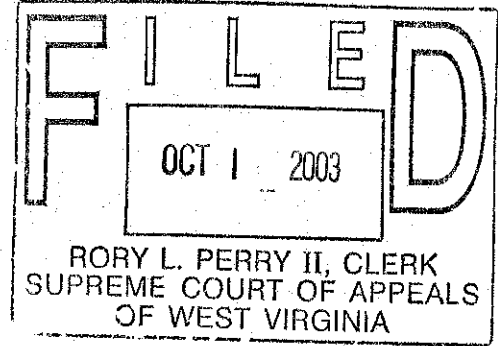
WEST VIRGINIA ECONOMIC DEVELOPMENT
AUTHORITY, a public corporation, *et al.*

Respondents.

and

THE WEST VIRGINIA LABOR FEDERATION, AFL-CIO,

Amicus Curiae.



**BRIEF *AMICUS CURIAE* OF
THE WEST VIRGINIA LABOR FEDERATION, AFL-CIO**

Thomas P. Maroney, Esquire
THOMAS P. MARONEY, L.C.
608 Virginia Street East
Charleston, WV 25301
304-346-9629
Counsel for Amicus Curiae
The West Virginia Labor Federation, AFL-CIO

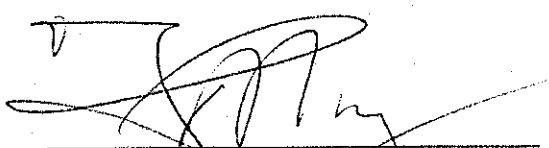
The West Virginia Labor Federation, AFL-CIO (hereinafter "AFL-CIO"), represents over 60,000 trade union members in the State of West Virginia. At Mountaineer Park, Inc., Charles Town Races, Wheeling Island Gaming, and Racing Corp., there are over 4,500 employees, a large number of whom are union members. In addition to these West Virginia workers, there are over 4,000 West Virginia workers who are employed indirectly as a result of the economic engine created by these employers. Many of these 4,000 workers are also union members.

The issues presented in these cases have a direct economic impact not only on these 8,000 employees and their families, but all other workers and their families in West Virginia. For these reasons, the West Virginia AFL-CIO adopts by reference the Brief of the Intervenor, West Virginia Racing Association, and respectfully requests that the Court determine that the video lottery games under the Race Track Video Lottery Act be determined to be constitutional, and further requests that this Court grant the petition for the writ of mandamus requested by the City of Charleston, *et al.*, and deny any and all petitions for writs of mandamus requesting that the West Virginia Race Track Video Lottery Act be declared unconstitutional and unlawful.

Respectfully submitted,

**JIM BOWEN, PRESIDENT
THE WEST VIRGINIA LABOR
FEDERATION, AFL-CIO**

By Counsel:



THOMAS P. MARONEY -#2326
THOMAS P. MARONEY, L.C.
608 VIRGINIA STREET, EAST
CHARLESTON, WEST VIRGINIA 25301
304/346-9629

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CERTIFICATE OF SERVICE

I, THOMAS P. MARONEY, General Counsel for the West Virginia Labor Federation, AFL-CIO, do hereby certify that I served a true and accurate copy of the foregoing **BRIEF *AMICUS CURIAE* OF THE WEST VIRGINIA LABOR FEDERATION, AFL-CIO** upon the following counsel of record via the United States Postal Service, postage pre-paid, on the 1st day of October 2003:

Stephen B. Farmer, Esquire
Farmer Cline & Arnold PLLC
Second Floor, 7 Players Club Drive
Post Office Box 3842
Charleston, West Virginia 25338
*Counsel for City of Charleston, Kanawha
County Commission, City of Huntington,
and Ohio County Commission*

Richard E. Boyle, Jr., Esquire
Kay Casto & Chaney PLLC
Post Office Box 2031
Charleston, west Virginia 25327-2031
*Counsel for West Virginia Amusement Limited
Video Lottery Operators Association, Inc.*

Vincent Trivelli, Esquire
The Calwell Practice, PLLC
178 Chancery Row
Morgantown, West Virginia 26505
-and-
Stuart Calwell, Esquire
The Calwell Practice, PLLC
405 Capitol Street, Suite 607
Post Office Box 113
Charleston, West Virginia 25321
*Counsel for the Affiliated Construction
Trades Foundation, a Division of West Virginia
State Building and Construction Trades
Foundation, AFL-CIO*

Thomas R. Goodwin, Esquire
Johnny M. Knisely II, Esquire
Goodwin & Goodwin LLP
300 Summers Street, Suite 1500
Post Office Box 2107
Charleston, West Virginia 25328-2107
*Counsel for the West Virginia Lottery
Commission and John C. Musgrave*

Silas B. Taylor, Esquire
Senior Deputy Attorney General
State Capitol, Room 26E
Charleston, West Virginia 25305
*Counsel for West Virginia Economic
Development Authority*

Larry L. Harless, Esquire
RR2 Box 186C
Cottageville, West Virginia 25239-9522
*Counsel for Greenbrier County Coalition
Against Gambling Expansion; and Cabell
County Coalition Against Gambling Expansion*

Nancy E. Trudel, Esquire
1000 Technology Drive, Suite 1000
Fairmont, West Virginia 26554
*Counsel for West Virginia High
Technology Consortium Foundation*

Louis S. Southworth, II, Esquire
Wendel B. Turner, Esquire
Jackson Kelly PLLC
Post Office Box 553
Charleston, West Virginia 25322-0553
-and-
Thomas A. Heywood, Esquire
Bowles Rice McDavid Graff & Love
Post Office Box 1386
Charleston, West Virginia 25325-1386
*Counsel for The West Virginia Business
Roundtable, The West Virginia Business
Industry Council, and The West Virginia
Hospitality and Travel Association, Inc.*

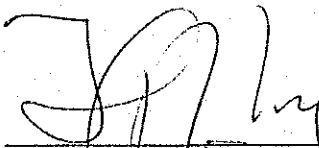
William Herlihy, Esquire
Spilman Thomas & Battle
300 Kanawha Boulevard, East
Charleston, West Virginia 25301
*Counsel for West Virginia Economic
Development Authority*

Katherine A. Schultz, Assistant Attorney General
Office of the Attorney General
1900 Kanawha Blvd., East, Room 26E
Charleston, West Virginia 25305
*Counsel for West Virginia Economic
Development Grant Committee*

Roger D. Hunter, Esquire
Neely & Hunter
159 Summers Street
Charleston, West Virginia 25301-2134
*Counsel for School Building
Authority of West Virginia*

Rudolph L. DiTrapano, Esquire
Sean P. McGinley, Esquire
Richard S. Han, Esquire
DiTrapano Barrett & DiPiero
604 Virginia Street, East
Charleston, West Virginia 25301
Counsel for West Virginia Racing Association

Michael E. Caryl, Esquire
Bowles, Rice, McDavid, Graff & Love
Post Office Drawer 1419
Martinsburg, West Virginia 25402-1419
*Counsel for Eastern West Virginia
Regional Airport Authority*


THOMAS P. MARONEY #2326
THOMAS P. MARONEY, L.C.
608 VIRGINIA STREET, EAST
CHARLESTON, WEST VIRGINIA 25301
General Counsel for West Virginia
Labor Federation, AFL-CIO