

DOCKET NO. _____

IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

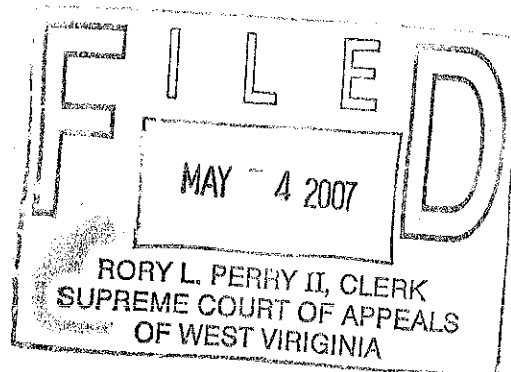
WEST VIRGINIA FAMILY
FOUNDATION, INC. a West Virginia Corporation,

Petitioner,

v.

JOHN C. MUSGRAVE, Director,
West Virginia Lottery Commission,

Respondent.



PETITIONER'S MOTION FOR EXPEDITED CONSIDERATION

Comes now your Petitioner, by and through undersigned counsel, Barry L. Bruce, Barry L. Bruce & Associates, L.C., pursuant to Rule 17 of the West Virginia Rules of Appellate Procedure, and respectfully request this Court to expedite the time period for briefing, argument, and ruling on Petitioner's Petition for Writ of Mandamus, filed contemporaneously herewith, and as grounds therefor, state:

Pursuant to Rule 2 of the West Virginia Rules of Appellate Procedure, this Court may, in the interest of expediting decision, or for other good cause shown, suspend the requirements or provisions of any of the West Virginia Rules of Appellate Procedure and may order proceedings in accordance with its direction.

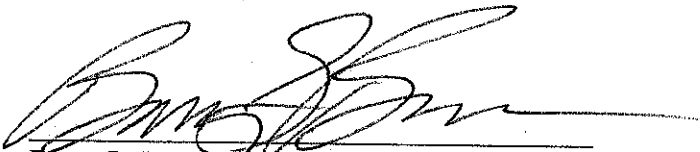
Petitioner respectfully submits that expedition of their Petition for Writ of Mandamus is necessary given the extreme time sensitivity of the ultimate issue in this case, the constitutionality of the West Virginia Table Games Act, West Virginia Code §§ 29-22C-1, *et seq.* Pursuant to the Table Games Act, the West Virginia Lottery Commission is granted the authority to promulgate rules

regulating the operation of casino-style table games in West Virginia. The West Virginia Lottery Commission has taken steps toward promulgation of said rules and will likely continue to do so. Such steps are costly and time consuming and will be a detriment to the taxpayers of the State of West Virginia should the Table Games Act be declared unconstitutional.

Moreover, the Table Games Act directs the Counties in which table game facilities are to be operated to conduct a local option election regarding whether table games should be operated in said county. The effected counties, Kanawha, Ohio, Jefferson and Hancock, are planning to conduct said local option elections on June 9, 2007. Expedited consideration of Petitioner's Petition is necessary prior to the holding of said local option elections.

WHEREFORE, based on the foregoing, Petitioner respectfully requests that this Court expedite the time period for briefing, argument, and ruling on Petitioner's Petition for Writ of Mandamus

Respectfully submitted,
PETITIONER,



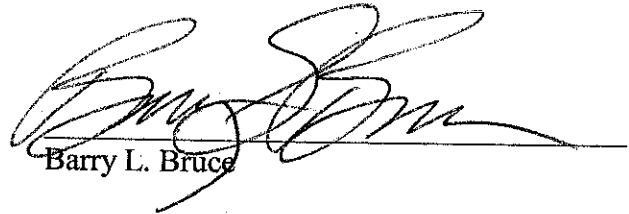
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CERTIFICATE OF SERVICE

I, Barry L. Bruce, Barry L. Bruce & Associates, L.C., hereby certify that a true and correct copy of the foregoing Motion to Expedite has been served via hand delivery this 4th day of May, 2007, as follows:

John C. Musgrave, Director
West Virginia Lottery Commission
312 MacCorkle Ave, SE
Charleston, West Virginia 25327
Respondent

Darrell V. McGraw, Jr.
West Virginia Attorney General
Office of the Attorney General
Capitol Building 1, Room 26-E
Charleston, West Virginia 25305



Barry L. Bruce