

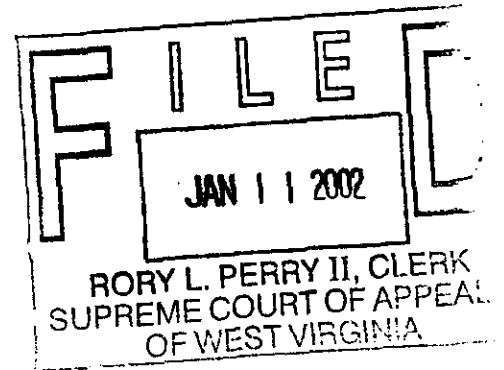


STATE OF WEST VIRGINIA  
DEPARTMENT OF EDUCATION AND THE ARTS  
OFFICE OF THE CABINET SECRETARY  
STATE CAPITOL BUILDING 5, ROOM 205  
1900 KANAWHA BOULEVARD, EAST  
CHARLESTON, WV 25305

BOB WISE  
GOVERNOR

KAY GOODWIN  
CABINET SECRETARY

January 11, 2002



By Hand  
Mr. Rory Perry, Clerk  
West Virginia Supreme Court of Appeals  
Room E-315, State Capitol  
Charleston, West Virginia 25305

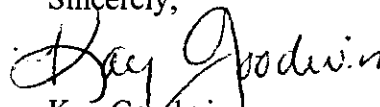
Re: State ex rel. McGraw v. Burton, et al.  
No. 30094

Dear Mr. Perry:

I write in my capacity as Cabinet Secretary of Education and the Arts, having been named by the Court as a respondent in the above-referenced matter.

I would have liked to have participated actively, by counsel, in this matter, but found myself in a quandary as to whether I have authority to engage counsel of my choice to do so. Unable to reach a confident conclusion on this matter, I have decided, out of caution, to notify the Court directly that I support and endorse, in my official capacity, and as a respondent herein, the contents of the Brief filed by Mike Callaghan, Cabinet Secretary of the Department of Environmental Protection, and Brian Kastick, Cabinet Secretary of the Department of Tax and Revenue.

Sincerely,

  
Kay Goodwin  
Cabinet Secretary

cc: Service List