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DARRELL V. McGRAW, JR.
ATTORNEY GENERAL

HEALTH & HUMAN RESOURCES
DIVISION OF CHILDREN AND FAMILIES

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May 3, 2010

Judy Cooper
Secretary of State Office
Building K1-157
Charleston, West Virginia 25304

Re: Withdrawal of Emergency Rules

Dear Ms. Cooper:

This is to advise your office that the West Virginia Department of Health and Human Resources is withdrawing Emergency Rules § 191-02 and § 191-03.

At this time, the West Virginia Supreme Court of Appeals has issued a Stay of the order entered by the Kanawha County Circuit Court regarding the rules. A copy of the Stay is attached for your review.

If you have any further questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "William P. Jones".

William P. Jones
Assistant Attorney General

WPJ:jak
Enclosure

cc: Family Protection Services Board
John Law
Marsha Morris

FILED

STATE OF WEST VIRGINIA

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At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on the 14th of April, 2010, the following order was made and entered:

Men & Women Against Discrimination, a West Virginia corporation, Plaintiff Below, Respondent

vs.) No. 100275

The Family Protection Services Board, a West Virginia public body, corporate and politic. et al., Defendants Below. Petitioners

On a former day, to-wit, March 11, 2010, came the petitioners. The Family Protection Services Board, et al., by Robert M. Bastress, Jr., Special Assistant Attorney General, and presented to the Court their motion in writing for stay of the order entered in the Circuit Court of Kanawha County on October 2, 2009, for the reasons stated therein.

Upon consideration whereof, the Court is of opinion to and doth hereby grant said motion. It is therefore ordered that the order entered in the Circuit Court of Kanawha County in the above-captioned proceeding be, and it hereby is, stayed, pending the resolution of the petition for appeal.

A True Copy

Attest: Ray J. Perry, Jr.
Clerk, Supreme Court of Appeals