



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

Division of Public Transit

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October 28, 2011

BIMONTHLY STATUS REPORT OF CERTAIN ACTIONS AGAINST THE STATE

(as required by W. Va. Code §55-17-3)

TO: Jeffrey Kessler
Senate President

Richard Thompson
Speaker, House of Delegates

FROM: Christina Risk, Administrative Secretary for
Susan L. O'Connell
Director

RE: Report for the 60-day period ending October 31, 2011

This report is intended to comply with and satisfy the requirement of W.Va. Code §55-17-3(c), which requires each agency head to deliver a written status report on certain actions and proceedings that have been instituted against the State in State courts at least every 60 days during the pendency of the action or proceeding.

Please be advised that the Division of Public Transit has been named, along with Kanawha Valley Regional Transit Authority (KRT), in two civil suits pertaining to a transit vehicle accident in Charleston, WV on July 26, 2011. The Division was also named in another suit involving KRT pertaining to a transit vehicle accident in Kanawha County on October 15, 2009.

Concerning the civil suit involving Bluefield Area Transit referenced in the report dated August 29, 2011, the Plaintiffs have agreed to voluntarily dismiss the Division of Public Transit as a Defendant.

Should you have any questions or need additional information, please do not hesitate to contact Susan L. O'Connell, Director.

cc: Paul A. Mattox, Jr., P. E.
Secretary of Transportation/
Commissioner of Highways