



**WEST VIRGINIA DEPARTMENT OF TRANSPORTATION**  
**Division of Public Transit**

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February 28, 2013

**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 February 28, 2013

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.

As stated in the Bi-Monthly Report dated August 31, 2012, 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.

Additionally, the Division has been named, along with Eastern Panhandle Transit Authority, in a civil suit pertaining to a transit vehicle accident on December 24, 2009 in Berkeley County. Efforts to dismiss the Division from these suits are ongoing.

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