

RPF/kse:12-28-07

**IN THE CIRCUIT COURT OF  
MONONGALIA COUNTY, WEST VIRGINIA**

WEST VIRGINIA UNIVERSITY )  
BOARD OF GOVERNORS FOR )  
AND ON BEHALF OF )  
WEST VIRGINIA UNIVERSITY, )

Plaintiffs, )

v. )

Civil Action No. 07-C-851

RICHARD RODRIGUEZ, )

Defendant. )

**NOTICE OF APPEARANCE**

Please be advised that Robert P. Fitzsimmons and Robert J. Fitzsimmons, Fitzsimmons Law Offices, 1609 Warwood Avenue, Wheeling, West Virginia 26003, will be appearing as co-counsel with Thomas V. Flaherty and Alexander Macia, on behalf of the West Virginia University Board of Governors For and On Behalf of West Virginia University in the above-styled matter. Copies of all correspondence and pleadings should be copied to Attorneys Robert P. Fitzsimmons and Robert J. Fitzsimmons.

WEST VIRGINIA BOARD OF GOVERNORS  
FOR AND ON BEHALF OF  
WEST VIRGINIA UNIVERSITY

**FILED**

DEC 28 2007

JEAN FRIEND  
CIRCUIT CLERK

BY:

*Robert J. Fitzsimmons*  
Of Counsel

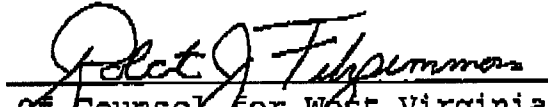
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### CERTIFICATE OF SERVICE

Service of the forgoing **NOTICE OF APPEARANCE** was made upon the defendant by depositing and/or faxing a true copy thereof, with the Clerk of the Circuit Court of Monongalia County, West Virginia, c/o Ms. Jean Friend, Monongalia County Courthouse, 243 High Street, Morgantown, WV 26505, on this the 28<sup>th</sup> day of December, 2007.

  
Of Counsel for West Virginia  
University Board of Governors  
For and On Behalf of  
West Virginia University

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