

September 7, 2018

Honorable John Shott
Room 418M, Bldg. 1
1900 Kanawha Blvd. E.
Charleston, WV 25305

Honorable Andrew Byrd
Room 151R, Bldg. 1
1900 Kanawha Blvd. E.
Charleston, WV 25305

Honorable Roger Hanshaw
Room 408M, Bldg. 1
1900 Kanawha Blvd. E.
Charleston, WV 25305

Honorable Ray Hollen
Room 224E, Bldg. 1
1900 Kanawha Blvd. E.
Charleston, WV 25305

Honorable Rodney Miller
Room 150R, Bldg. 1
1900 Kanawha Blvd. E.
Charleston, WV 25305

Re: *In re Matter of Impeachment Proceedings Against Respondent Chief Justice
Margaret Workman -- Witness list and document disclosures*

Dear Members of the Board of Managers:

Pursuant to Rule 21(c) of the Rules of the West Virginia Senate While Sitting as a Court of Impeachment During the Eighty-Third Legislature, Chief Justice Workman provides the following discovery: (1) A list of witnesses whom Chief Justice Workman may call in her defense, enclosed as Exhibit A; and (2) a production of documents that Chief Justice Workman may use in her defense, including written statements of Chief Justice Workman, which is available for download at a link that will be sent to your email. The production is encrypted; the password is: **ExdSe5q=7R**. A copy will also be provided on a thumb drive.

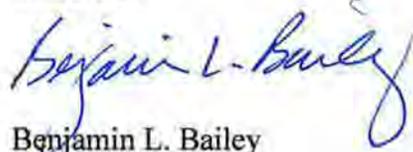
Because Chief Justice Workman has not yet received discovery from the Board of Managers, and because she continues to investigate the allegations against her and prepare her defense, we anticipate that we will need to supplement both the witness list and the document production before trial. In the event that supplemental disclosures are required, we will make them as promptly as reasonably possible. We also reserve the right to supplement this discovery with a

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summary of expert testimony if we retain expert witnesses before trial, and we will make any such disclosure as promptly as reasonably possible.

Sincerely,

A handwritten signature in blue ink that reads "Benjamin L. Bailey". The signature is written in a cursive style with a large, looping "y" at the end.

Benjamin L. Bailey

BLB/md
Enclosure

cc: Chief Justice Workman
Lee Cassis, Senate Clerk

EXHIBIT A

1. Hon. Margaret L. Workman
2. Hon. Menis Ketchum
3. Hon. Allen Loughry
4. Hon. Thomas McHugh
5. Hon. Elizabeth Walker
6. Hon. Brent D. Benjamin
7. Hon. Robin Davis
8. Hon. J.B. McCuskey
9. Hon. William P. Cole III
10. Hon. Clark S. Barnes
11. Hon. Thomas H. Keadle
12. Hon. John L. Cummings
13. Hon. Andrew N. Frye
14. Hon. John L. Henning
15. Hon. John S. Hrko
16. Hon. Larry V. Starcher
17. Hon. Arthur M. Recht
18. Hon. James J. Rowe
19. Hon. Thomas W. Steptoe
20. Hon. Gary L. Johnson
21. Steven Canterbury
22. Justin Robinson
23. Sue Racer-Troy
24. Rory Perry
25. Kim Ellis
26. Kathleen Gross
27. Arthur Angus
28. Jess Gundy
29. Scott Harvey
30. Aaron Allred
31. Mike Proops
32. Lori Paletta-Davis
33. Allen Gawthrop
34. Mark Starcher
35. Russell Shelton
36. Shannon Greene
37. Chris Workman
38. Jennifer Singletary
39. Terasa Miller
40. Chris Morris
41. Paul Fletcher Adkins
42. Paul Mendez
43. Kirk Brandfass
44. Jeanne Stevenson
45. Pat Moats

46. Janie Moore
47. Dianna Canfield
48. Edward E. Weber
49. C.R. Neighborgall IV
50. David R. McCarty
51. Ruth N. Stanely
52. Mike Stamper
53. Zach Thompson
54. Zach Johnson
55. Sean G. Simon
56. Thomas M. Potts
57. Mike Moore
58. Mike Bauer
59. Kelly Blunden
60. Nina Orndorff
61. Steven Harrison
62. Greg Gray
63. Brandi McNabb*
64. Jay Eckhart*
65. Mike Burkhart*
66. Lee Cassis*
67. Frank O. Bowman III
68. Amy Lewis
69. Kent Hartsog

* Rule 25 of the Rules of the West Virginia Senate While Sitting as a Court of Impeachment During the Eighty-Third Legislature state that personnel of the Court of Impeachment may not be called as witnesses. But the rule does not define which Senate personnel are considered personnel of the Court of Impeachment, and it would be unreasonable to deem Senate personnel to fall within the rule's scope even if they are not involved in the impeachment trial. To the extent the rule would preclude any of the above-listed witnesses from being called, Chief Justice Workman reserves the right to challenge the rule on due process grounds.