

From: Bundy, Jennifer
To: [Loughry; Allen <Allen.Loughry@courtsww.gov>](mailto:Allen.Loughry@courtsww.gov)
Subject: RE: couch
Date: Thursday, November 30, 2017 6:09:12 PM

Phil:

Chief Justice Loughry asked me to respond.

No, this is not the desk that Justice McHugh and Justice McGraw used. It is the desk that Chief Justice Loughry used for ten years when he was a law clerk.

It is entirely appropriate for Supreme Court Justices to have desks and computers for home offices due to their heavy caseload and the amount of time they spend working at home. Justices do not work 9-5 jobs and frequently deal with emergency matters during the evening and also when Court is not in session. Nevertheless, the desk has been taken to storage until it is needed in another Supreme Court office. The desk was not returned because its use was inappropriate, but because issues such as this are becoming an obstacle to the Court completing its important work.

Jennifer Bundy
Public Information Officer
Supreme Court of Appeals of West Virginia
1900 Kanawha Blvd. E., Building 1, Room E-100
Charleston WV 25305
Office: 304-340-2305
Cell: 304-437-5442
Fax: 304 558-7990

From: Loughry, Allen
Sent: Thursday, November 30, 2017 12:40 PM
To: Bundy, Jennifer
Subject: FW: couch

From: Phil Kabler [<mailto:philk@wvgazettemail.com>]
Sent: Wednesday, November 29, 2017 1:24 PM
To: Loughry, Allen <Allen.Loughry@courtsww.gov>
Subject: Re: couch

I raise this question, in part, because it is lighting up on Twitter at the moment:
Is the antique desk that was used by Justices McHugh and McGraw, commonly referred to as the "Cass Gilbert desk" currently in your residence on Scenic Drive?

Thanks,
Phil.

On Tue, Nov 28, 2017 at 2:00 PM, Phil Kabler <philk@wvgazettemail.com> wrote:

Thanks for the response through Jennifer.

Two more questions, and I promise I'll be finished.

1. Given the Ethics Act prohibition on accepting gifts valued at more than \$25, how were you able to accept the couch as a gift from Mrs. Albright (or her son)?
2. Am I correct to understand there is another piece of furniture in your residence that needs to be moved back to state property?

Thanks,

Phil

On Tue, Nov 28, 2017 at 10:52 AM, Phil Kabler <philk@wvgazettemail.com> wrote:

Thanks for the clarification.

Couple of more questions: You didn't indicate whether the court employees were "on the clock" when they were moving the couch; however, that would be moot if the couch is public property.

Also, editors would like to get a picture of the couch in the warehouse, if that's possible.

Thanks,

Phil

On Tue, Nov 28, 2017 at 10:01 AM, Loughry, Allen <Allen.Loughry@courtswv.gov> wrote:

Phil, Justice Albright owned a furniture store and bought all of his office furniture including that couch. No one has ever disputed that. It was all his. These are more lies from Steve, but he will say absolutely anything to damage me and the Court. It was all his furniture and they took some and left some behind after he died in office. When I spoke with his widow yesterday she knew exactly what couch I was talking about, but said she still did not want it.

As far as the couch being moved and being stored in a state facility, after reading your story and the innuendo within, and after the Albrights said they still did not want it back, I decided that I no longer wanted this couch under any circumstances. I did not want to keep getting accused of things. It's just not worth it. As far as I am concerned it is now property donated to the state of West Virginia so it is no longer private property. The court can use it. I would never store private property on state property under any circumstances. As I said yesterday, this was not state property, but you basically accused me of stealing state property in your column without even asking me about it so I decided to give it to the court and the court can use it in one of its offices. I'm hopeful that further clarifies this.

Sent from my iPhone

On Nov 28, 2017, at 9:09 AM, Phil Kabler <philk@wvgazettemail.com> wrote:

Thanks for the clarification.

Couple of additional questions:

Is there a way to verify that the late Justice Albright bought the couch?
Also, were court employees "on the clock" when the couch was moved, and if the couch is private property, can it be stored in a state facility?
(Recall Ethics Commission fine v. Chris Jarrett for storing personal

property at the Water Authority HQ.)
Thanks,
Phil

On Mon, Nov 27, 2017 at 6:14 PM, Loughry, Allen
<Allen.Loughry@courts.wv.gov> wrote:

I have just spoken with Justice Albright's son, the owner of the couch. He told me again he did not want the couch and for me to keep it. This is not State property. However, as I said previously, I am not keeping it and the State can have it.

From: Loughry, Allen
Sent: Monday, November 27, 2017 5:57 PM
To: 'philk@wvgazette.com' <philk@wvgazette.com>
Subject: couch

Phil, I do not have twitter, but I have been informed that you posted a photo today. Here is my response to your photo and to your story. Please let me know if you receive this. Thanks. Allen
You have been misinformed. The couch you are referring to is not state property. It was never state property. It was the property of Justice Joe Albright. He purchased all of the furniture in his office. After he passed away, his family said they had no further use for it and they did not want the couch returned to them. Nonetheless, I am so sick of the lies and innuendo coming from our fired, disgruntled former administrator Steve Canterbury, that I had the couch taken back to the supreme court warehouse. Today I called Nancy, Justice Albright's widow, and asked her again if she wanted the couch and she said she did not. I have also left a message for his son and will offer him the same.