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BEFORE THE STATE OF WEST VIRGINIA  
ETHICS COMMISSION 2010 SEP 24 PM 1:07

**IN RE**  
**RESPONDENT Roger Wolfe**  
**Case Number VCRB 2008-20**

**ORDER ON MOTION TO SEQUESTER WITNESSES, REQUIRING THE EXCHANGE OF EXHIBIT LISTS  
AND SCHEDULING HEARING**

The Hearing Examiner convened a telephone status conference on August 6 to resolve all pre-hearing issues and decide on the date for the public hearing in the above-referenced matter.

Counsel for the Ethics Commission requested that witnesses be sequestered prior to offering testimony and subsequent to giving testimony if the witness will be called for rebuttal testimony. Commission Counsel pointed out that there were six complainants and that they do have the right to be present during the hearing. Commission Counsel also stated that they are on the Ethics Commission's Witness List. Commission Counsel proposed that the complainants select one of their members to be present for the entire hearing and the others be subject to the ruling of the Hearing Examiner on the issue of sequestration.

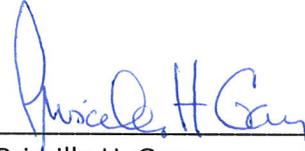
There was discussion regarding exhibits. Commission Counsel explained to Respondent Roger Wolfe that he had copies of the exhibits in this matter. It was agreed that Exhibit Lists will be exchanged by October 12, 21010.

Dates were discussed for the hearing. Subsequent to the telephone status conference the Hearing Examiner informed the parties by letter that she was having difficulty rearranging her schedule in accordance with the discussion and proposed to schedule the hearing to start on Wednesday, October 27 and continuing "for the next two days if needed" so long as no objection from the parties was received. Respondent Roger Wolfe replied that he wanted a full week "available to conduct the hearing."

It is ORDERED that the witnesses in the matter of Respondent Roger Wolfe, with the exception noted below, shall be sequestered prior to all testimony including rebuttal testimony. It is further ORDERED that the complainants may select one of their members to be present during the entire hearing and that member shall not be required to be sequestered. Counsel for the Ethics Commission is directed to make this order known to the six complainants so that they may make their selection prior to the start of the hearing.

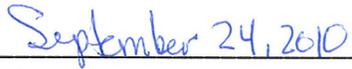
It is FURTHER ORDERED that the parties to this proceeding shall exchange exhibit lists on or before October 12, 2010.

It is FINALLY ORDERED that the public hearing in this matter shall be convened at 8:30 A.M. in Charleston, West Virginia, on Wednesday, October 27, 2010, and shall continue until all parties have completed their submissions.



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Priscilla H. Gay  
Hearing Examiner



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Date

**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2010. I sent this ORDER ON MOTION TO SEQUESTER WITNESSES, REQUIRING THE EXCHANGE OF EXHIBIT LISTS AND SCHEDULING HEARING by first class mail, postage prepaid, to:

Roger Wolfe  
524 22<sup>nd</sup> Street  
Dunbar, WV 25064

C. Joan Parker  
General Counsel  
West Virginia Ethics Commission  
210 Brooks Street  
Suite 300  
Charleston, WV 25301