

Medmarc Insurance Group

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A ProAssurance Company

Via Email:

Michael O. Callaghan, Esq. (Chief Assistant Fayette County Prosecuting Attorney) - mcallaghan@neelycallaghan.com
D. Scott Simonton, Ph.D. P.E. (FCCEA Remedial Project Manager) - ashby.tucker.env.llc@gmail.com

Via Fedex Priority Overnight:

Fayette County Code Enforcement Agency
c/o Fayette County Administrator
Fayette County Courthouse
100 Court Street
Fayetteville, West Virginia 25840-0307

Fayette County Clerk
Michelle Holly
100 Court Street, Suite 1
Fayetteville, West Virginia 25840-0307

Re: **Notice of Intent to Comply**
Medmarc Casualty Insurance Company (a Vermont corporation and successor in interest to Dependable Insurance Company)
Fayette County Code Enforcement Agency Matter No. 2019-002
Final & Binding Time-Sensitive Abatement Action Order No. 2021-001-9.5(b)-001

To all concerned

This letter serves as Medmarc Casualty Insurance Company's ("Medmarc") *Notice of Intent to Comply* in a competent and timely manner with the Order referenced above. The provision of this *Notice* is made without prejudice to Medmarc's right to assert in any proceeding identified in Section IX.V(g) of FCOWV Ordinance 2018-001 any just and sufficient cause defenses under sections IX.V(e) and XX(e) of FCoWV Ordinance 2018-001. Medmarc also reserves the right assert any and all other defenses available including but not limited to the jurisdiction of West Virginia county government offices and their ability to demand records from an out-of-state entity.

Should any of your offices have additional questions, please contact me.

Sincerely

Brian S. Kern

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