

IN THE CIRUCIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

MELINDA HEISS and
GEORGE HEISS,

Plaintiffs,

2014 MAY 16 PM 1:16
CATHY S. WILSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

v.

CIVIL ACTION NO. 14-C-685
Honorable Carrie Webster, Judge

ALBERT BRAY CARY, JR., individually,
and
WEST VIRGINIA MEDIA HOLDINGS, LLC,
a Delaware limited liability company,

Defendants.

OFFER OF JUDGMENT

Defendants Albert Bray Cary, Jr. and West Virginia Media Holdings, LLC, (collectively, "Defendants") for themselves and no others, hereby offer to allow entry of judgment pursuant to Rule 68 of the West Virginia Rules of Civil Procedures ("RCP") as follows:

1. Judgment in favor of Plaintiffs Melinda Heiss and George Heiss (collectively, "Plaintiffs") against Defendants in the sum of \$10,000.00, plus attorney's fees and costs in an amount not to exceed \$1,000.00.
2. This offer is not to be construed as an admission of liability by Defendants and Defendants deny liability.
3. The sole purpose of this offer is to provide that, if any judgment finally obtained by Plaintiffs is not more favorable than the unaccepted offer, Plaintiffs must pay the costs incurred by Defendants after the making of this offer, as set out and provided for in Rule 68(c) of the RCP.

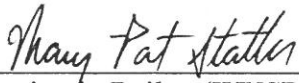
4. If this offer is not accepted in full satisfaction of all claims within 10 days after service hereof, the offer is deemed withdrawn.
5. This offer is made for a full and complete satisfaction of all claims presented in the above-styled civil action. Plaintiffs may not make a partial acceptance of this offer for liability (which is expressly denied) and attempt to proceed to a determination of damages.

Dated: May 15, 2014

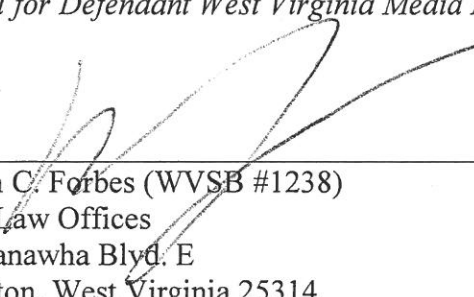
Respectfully submitted,

**ALBERT BRAY CARY, JR., and
WEST VIRGINIA MEDIA HOLDINGS, LLC**

By Counsel,



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