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July 25, 2022

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Lauren Varnado, Esquire
Michelman & Robinson, LLP
717 Texas Avenue, Suite 3125
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Forwarded by fax to: (713) 383-6151

**Re: Allegations Involving The Honorable
David W. Hummel, Jr.**

Dear Ms. Varnado:

On July 15, 2022, while on vacation in Wyoming, my secretary texted me a copy of an article from the "Daily Beast", which indicates you are making allegations that Judge Hummel brandished a firearm in the Circuit Court of Wetzel County, West Virginia, on or about the 12th day of March, 2022. I have received no complaint from local law enforcement regarding the same and I have inquired of them as to whether or not you had filed a complaint regarding the incident. I was advised they had not received a complaint. I have not received a complaint from you, either.

I understand you reported the incident to the FBI in Pittsburgh. However, they have not reported the same to my office. I have reached out to them to obtain a copy of their report. Further, I have contacted the Office of the Judicial Investigation Commission of West Virginia requesting information regarding this matter. I have also reviewed the courtroom video tape for that date, which is currently in the possession of the Wetzel County Sheriff. What I saw on the video tape was Judge Hummel displaying his firearm for a few seconds. It did not appear to me that he pointed his firearm at you or threatened you with the same during that time. However, I have not yet reviewed the transcript from that hearing.

In West Virginia, the criminal offense of "Brandishing" requires the display or use of a firearm in such a manner as to threaten a breach of the peace. Please advise me at once whether you are alleging Judge Hummel committed a violation of the criminal law of the State of West Virginia. If you are alleging a violation, I will immediately request the appointment of a special prosecutor from outside the Second Judicial Circuit to handle this matter. I would have

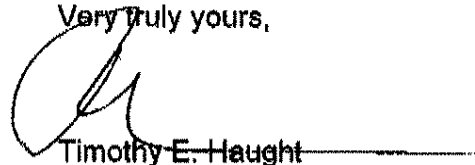
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done so in March had you contacted law enforcement or my office with a complaint regarding this incident. As Judge Hummel is a Circuit Court Judge for Wetzel County and I am an officer of his court and routinely appear before him, I do not feel it is appropriate for me to investigate or make prosecutorial decisions regarding this matter. In the event you are alleging criminal conduct by Judge Hummel, I feel it would be appropriate for a special prosecutor to be appointed to make those decisions.

Please advise me whether you are alleging that Judge Hummel violated the criminal law of the State of West Virginia and I will request the appointment of a special prosecutor to handle this issue. Please note that pursuant to West Virginia law, "Brandishing" is a misdemeanor offense. There is a one-year statute of limitations from the date of the offense for charges to be filed.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to be 'T. Haught', written over a horizontal line.

Timothy E. Haught

TEH/cs