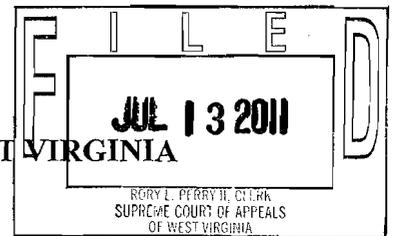


IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA



FEDERAL EXPRESS CORPORATION,

Respondent and Petitioner Below,

v.

Supreme Court No. 101590
(Kanawha 09-AA-106)

ANTHONY ARMSTEAD and
THE WEST VIRGINIA HUMAN
RIGHTS COMMISSION,

Petitioner and Respondent Below.

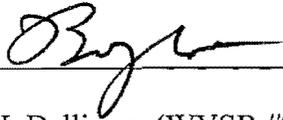
SUPPLEMENT TO RESPONSE IN OPPOSITION TO PETITION FOR APPEAL

Federal Express Corporation (“FedEx”), Respondent, relies on its Response in Opposition to Petition for Appeal, filed with this Court on December 23, 2010, as its Respondent’s Brief in the above-referenced matter and incorporates it by reference herein. Petitioner raised no new issues of law in his Supplement to Brief of Anthony Armstead (“Supplemental Brief”) filed on June 14, 2011. Petitioner merely reiterated the well settled standard of review of administrative proceedings by circuit courts in contested cases; a standard which, as FedEx discusses at length in its Response, was precisely the one that governed the lower court’s decision in this case. Therefore, FedEx declines to respond to Petitioner’s Supplemental Brief and stands on its previous filing.

Respectfully submitted this 13th day of July, 2011.

FEDERAL EXPRESS CORPORATION

By Counsel



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CERTIFICATE OF SERVICE

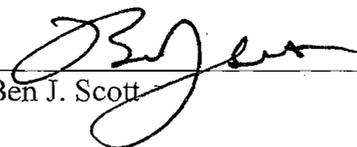
I, Ben J. Scott, counsel for Respondent and Petitioner Below, Federal Express Corporation, do hereby certify that service of the foregoing "Supplement to Response in Opposition to Petition for Appeal" has been made this 13th day of July, 2011, on the following persons by means of U.S. Mail, postage prepaid:

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