2. If a clerk of court does possess authority to bring a suit in his official capacity as described in Certified Question No. 1, does Virginia law authorize him to do so as a class representative on behalf of all clerks of court throughout the commonwealth?

(Appx. 184-91.) On the following day, the federal court stayed the case pending this Court's answer to the certified questions. (Appx. 192.)

On February 28, 2013, this Court accepted the federal court's questions.

QUESTIONS CERTIFIED

Before the Court are the following certified questions:

1. Under Virginia law does a clerk of court possess statutory standing to initiate a lawsuit, in his official capacity, to enforce the real estate transfer tax on the recording of instruments?

2. If a clerk of court does possess authority to bring a suit in his official capacity as described in Certified Question No. 1, does Virginia law authorize him to do so as a class representative on behalf of all clerks of court throughout the commonwealth?