

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 20<sup>th</sup> of May, 2014, the following order was made and entered:

Lawyer Disciplinary Board, Petitioner

vs.) No. 12-1172

Benjamin F. White, a member of  
The West Virginia State Bar, Respondent

On a former day, to-wit, May 16, 2014, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Debra Kilgore, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in this matter.

Thereafter, on May 5, 2014, came the respondent, Benjamin F. White, by his counsel Sherri D. Goodman, and filed his written statement with the Court that he consents to the written recommended disposition.

On May 16, 2014, came the Office of Disciplinary Counsel, by Rachael L. Fletcher Cipoletti, Chief Lawyer Disciplinary Counsel, and presented to the Court its written objection to the Hearing Panel Subcommittee recommendation.

Upon consideration, the Court is of the opinion that this matter be scheduled for oral argument under Rule 19 of the Rules of Appellate Procedure on a date during the September 2014 Term of Court. The Clerk will, at a later date, furnish the parties and counsel of record with a Notice of Argument pursuant to Rule 19(b), which will contain additional information regarding the time for argument.

It is further ordered that the petitioner, Lawyer Disciplinary Board, file an original and ten copies of a brief within thirty days of receipt of this order; the respondent, Benjamin F. White, is directed to file a like number of briefs within thirty days of the petitioner's brief; with any reply brief deemed necessary to be filed within fifteen days of the respondent's brief.

Service of an attested copy of this order upon all parties herein shall constitute sufficient notice of the contents herein.

A True Copy

Attest: /s/ Rory L. Perry II, Clerk of Court

