

STATE OF WEST VIRGINIA

At the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 30<sup>th</sup> day of August, 2016, the following order was made and entered **in vacation**:

State of West Virginia ex rel.  
Office of Disciplinary Counsel,  
Petitioner

vs.) No. 16-0411

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

**RULE TO SHOW CAUSE**

On April 28, 2016, the petitioner, Office of Disciplinary Counsel (“ODC”), by Renée N. Frymyer, Lawyer Disciplinary Counsel, presented to the Court a petition praying for a rule to show cause to be directed against the respondent, Benjamin F. White, as to why the respondent should not be held in contempt of Court, as set forth therein.

Thereafter, on May 20, 2016, the respondent, Benjamin F. White, filed a response, together with a motion to file the response, out-of-time. The Court hereby grants the motion to file the response, out-of-time, and the response is considered timely.

Upon consideration of the petition and response, the Court is of the opinion that a rule should be awarded herein. It is therefore considered and ordered that a rule does hereby issue returnable before this Court at its courtroom in the City of Charleston, County of Kanawha, at ten o’clock, a.m., on Tuesday, October 25, 2016, commanding

and directing the respondent to show cause, if any he can, why he should not be held in contempt of this Court, unless sooner mooted by either payment of the costs in their entirety or execution of a payment plan with the ODC for payment of the costs.

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

A True Copy

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

