

BEFORE THE HEARING PANEL SUBCOMMITTEE
OF THE
LAWYER DISCIPLINARY BOARD
STATE OF WEST VIRGINIA

SCA EFiled: Dec 16 2022
10:45AM EST
Transaction ID 68636837

ID. No. 20-03-061
Supreme Court No. 22-582
Bar No. 7124

IN RE: **Phillip B. Ball, a member of
The West Virginia State Bar**

VERIFIED RESPONSE

NOW COMES Respondent, Phillip B. Ball, by Counsel, John A. Carr, to respond to the Statement of Charges in this matter.

I. VERIFIED RESPONSE

Respondent hereby responds as follows:

1. Respondent admits the allegations in Paragraph 1 of the Statement of Charges.

COUNT I

2. Upon information and belief, the Respondent admits the allegations in Paragraph 2 of the Statement of Charges.

3. The Respondent denies that the assets and estate was of "substantial" value according to the Appraisalment of the estate, but upon information and belief Respondent admits the remaining allegations in Paragraph 3 of the Statement of Charges.

4. Upon information and belief, the Respondent admits the allegations in Paragraph 4 of the Statement of Charges.

5. Upon information and belief, the Respondent admits the allegations in

Paragraph 5 of the Statement of Charges.

6. Upon information and belief, the Respondent admits the allegations in Paragraph 6 of the Statement of Charges.

7. Upon information and belief, the Respondent admits the allegations in Paragraph 7 of the Statement of Charges.

8. Upon information and belief, the Respondent admits the allegations in Paragraph 8 of the Statement of Charges.

9. Upon information and belief, the Respondent admits the allegations in Paragraph 9 of the Statement of Charges.

10. Upon information and belief, the Respondent admits the allegations in Paragraph 10 of the Statement of Charges.

11. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 11 of the Statement of Charges, and therefore denies them.

12. Upon information and belief, the Respondent admits the allegations in Paragraph 12 of the Statement of Charges.

13. The Respondent admits in part and denies in part the allegations in Paragraph 13 of the Statement of Charges. Sheriff T.A. Bailey was elected as Sheriff and retained Attorney Wolfe for certain matters. However, Respondent remained counsel on several estates, some of which he continues to represent the Sheriff.

14. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 14 of the Statement of Charges, and therefore denies them.

15. Respondent is without knowledge or information sufficient to form a

belief as to the truth of the allegations in Paragraph 15 of the Statement of Charges, and therefore denies them.

16. Respondent is without knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 16 of the Statement of Charges, and therefore denies them.

17. Upon information and belief, the Respondent admits the allegations in Paragraph 17 of the Statement of Charges.

18. Upon information and belief, the Respondent admits the allegations in Paragraph 18 of the Statement of Charges.

19. The Respondent denies the allegations in Paragraph 19 of the Statement of Charges. On March 13, 2015, the value of the BB&T stock was approximately \$38.91 a share, and with 1,840.544 shares the total value was approximately \$71,615.57. On March 13, 2015, the value of the First Community Bank stock was approximately \$16.71 a share, and with 84.607 shares the total value was approximately \$1,413.78. The total approximate value, therefore, was \$73,029.35.

20. The Respondent admits in part and denies in part the allegations in Paragraph 20 of the Statement of Charges. The personal affidavit of residence executed by Sheriff Don B. Meadows was notarized by Respondent's office staff. However, upon information and belief, the actual transfer request was executed by Sheriff Meadows in the First Community Bank, located in Princeton, WV, where he obtained the required Medallion Guarantee Seal. The Respondent was not present when the Medallion Guarantee Seal was obtained.

21. Upon information and belief, the Respondent admits the allegations in Paragraph 21 of the Statement of Charges.

22. Upon information and belief, the Respondent admits the allegations in Paragraph 22 of the Statement of Charges.

23. Upon information and belief, the Respondent admits the allegations in Paragraph 23 of the Statement of Charges.

24. Upon information and belief, the Respondent admits the allegations in Paragraph 24 of the Statement of Charges.

25. Upon information and belief, the Respondent admits the allegations in Paragraph 25 of the Statement of Charges.

26. Upon information and belief, the Respondent admits the allegations in Paragraph 26 of the Statement of Charges.

27. Upon information and belief, the Respondent admits the allegations in Paragraph 27 of the Statement of Charges.

28. The Respondent denies the allegations in Paragraph 28 of the Statement of Charges.


29. The Respondent denies the allegations in Paragraph 29 of the Statement of Charges.

30. The Respondent denies the allegations in Paragraph 30 of the Statement of Charges.

VERIFICATION

State of West Virginia, Kanawha County, to wit:

I, Phillip B. Ball, Esquire, being sworn, avers that the facts contained in this Verified Response are true and correct to the best of my knowledge.



Phillip B. Ball, Esq.

Taken, sworn to and subscribed before my this 15th day of December, 2022.

Sheila Salyers
Notary Public



PHILLIP B. BALL
Respondent,

By Counsel

John A. Carr

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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing
“**VERIFIED RESPONSE**” was served on counsel of record by e-mail on the following:

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Chief Lawyer Disciplinary Counsel
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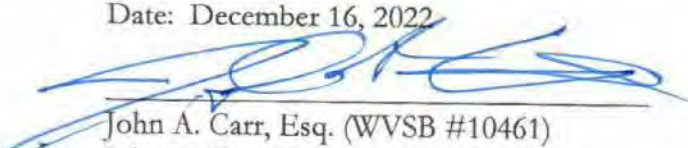
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Date: December 16, 2022



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