

STATE OF WEST VIRGINIA

At a Regular Term of the Supreme ~~Court of Appeals continued~~ and held at Charleston, Kanawha County, on the 26th day of January, 2000, the following order was made and entered:

Lawyer Disciplinary Board, Complainant

vs.) No. 24302

J. Michael Cassell, an active member  
of The West Virginia State Bar,  
Respondent

On a former day, to-wit, December 21, 1999, came the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by Timothy L. Sweeney, its chairperson, pursuant to Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, and presented to the Court its written recommended disposition in the above-captioned proceeding recommending that respondent: (1) be admonished; (2) serve a probationary period of two years; (3) provide semi-annual reports to the Office of Disciplinary Counsel during the probationary period which set forth (a) the number of private legal matters he is handling; (b) how long he has worked on each matter; and (c) whether he received any informal complaints from clients or opposing counsel concerning a meaningful lack of diligence or failure to communicate; (4) license to practice law in the State of West Virginia be suspended as a probation violation for a period of two months, exclusive of any sanction which might result from the more recent conduct should an ethics complaint be filed for conduct occurring during the probationary period involving lack of diligence or failure to communicate which the subsequent Investigative Panel finds to be well-founded; and (5)

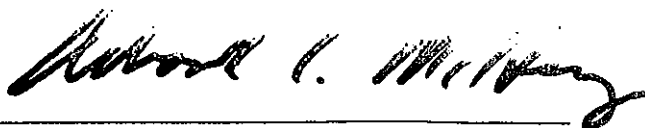
be required to reimburse the Lawyer Disciplinary Board for the costs incurred in this matter in the amount of Four Dollars and Twenty Cents (\$4.20).

Upon consideration whereof, the Court is of opinion to and doth hereby accept the written recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is therefore ordered that the respondent: (1) be, and he hereby is, admonished; (2) shall serve a probationary period of two years; (3) shall provide semi-annual reports to the Office of Disciplinary Counsel during the probationary period which set forth (a) the number of private legal matters he is handling; (b) how long he has worked on each matter; and (c) whether he received any informal complaints from clients or opposing counsel concerning a meaningful lack of diligence or failure to communicate; (4) shall have his license to practice law in the State of West Virginia suspended as a probation violation for a period of two months, exclusive of any sanction which might result from the more recent conduct should an ethics complaint be filed for conduct occurring during the probationary period involving lack of diligence or failure to communicate which the subsequent Investigative Panel finds to be well-founded; and (5) shall reimburse the Lawyer Disciplinary Board for the costs incurred in this matter in the amount of Four Dollars and Twenty Cents (\$4.20). Justice McGraw would impose a one-year period of probation.

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

A True Copy

Attest:



Clerk, Supreme Court of Appeals