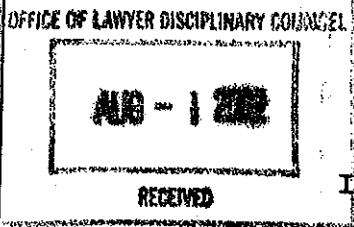


-CORRECTED COURT'S MANDATE-



STATE OF WEST VIRGINIA  
IN THE SUPREME COURT OF APPEALS  
IN VACATION

Lawyer Disciplinary Board, Complainant

vs.) No. 26519

Timothy N. Barber, an active member of  
The West Virginia State Bar, Respondent

The Court, having maturely considered the record, the written recommended disposition filed by the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, and the oral argument and briefs of counsel thereon, doth hereby suspend the license to practice law in the State of West Virginia of the respondent, Timothy N. Barber, for a period of sixty days for violating Rules 1.8(a)(1)(2) and (3) and 8.1(b) of the Rules of Professional Conduct. It is further ordered that the Lawyer Disciplinary Board refund the costs incurred in the investigation of this matter which the respondent has previously paid. It is finally ordered that the respondent's license to practice law in the State of West Virginia be automatically reinstated on the 18th day of August, 2002; all of which is ordered to be certified to the parties herein.

The syllabus of points adjudicated, prefixed to the written opinion aforesaid, prepared Per Curiam, was concurred in by

Chief Justice Davis and Justices Starcher, Maynard and Albright.  
Justice McGraw concurs in part and dissents in part, and reserves  
the right to file a concurring in part and dissenting in part  
opinion.

DONE IN VACATION of the Supreme Court of Appeals  
this the 8th day of July, 2002.

Honorable Robin Jean Davis, Chief Justice

Honorable Larry V. Starcher

Honorable Elliott E. Maynard


Honorable Warren R. McGraw

Honorable Joseph P. Albright

Received the foregoing order this the 8th day of  
July, 2002, and entered the same in Order Book No. 146.

A True Copy

Attest:

  
\_\_\_\_\_  
Clerk, Supreme Court of Appeals