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STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals, continued and held at Charleston, Kanawha County, on April 15, 2021, the following order was made and entered:

Lawyer Disciplinary Board,  
Petitioner

vs.) No. 20-0260

David A. Mohler, a member of  
The West Virginia State Bar,  
Respondent

**ORDER**

On February 2, 2021, the Hearing Panel Subcommittee of the Lawyer Disciplinary Board, by its Chair David A. Wandling, in accordance with Rule 3.10 of the Rules of Lawyer Disciplinary Procedure, presented to the Court its written recommended disposition in this matter, recommending that:

- (1) Respondent be reprimanded for conduct in Count I of the Statement of Charges.
- (2) Count II of the Statement of Charges be dismissed in its entirety.
- (3) Respondent complete an additional 9 hours of continuing legal education in ethics and law office management over and above his otherwise required continuing legal education hours during his next reporting period.
- (4) Respondent be ordered to pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

On February 11, 2021, the Office of Lawyer Disciplinary Counsel, by Jessica H. Donahue Rhodes, Lawyer Disciplinary Counsel, filed its consent to the recommendation. The respondent, David Mohler, by counsel, Stuart A. McMillan, filed his consent to the recommendation on February 17, 2021.

Upon consideration, the Court is of the opinion to and does concur with and does hereby approve the recommended disposition of the Hearing Panel Subcommittee of the Lawyer Disciplinary Board. It is ORDERED that:

- (1) The respondent, David A. Mohler, is reprimanded for his conduct in Count I of the Statement of Charges.
- (2) Count II of the Statement of Charges is dismissed.
- (3) Respondent shall complete an additional 9 hours of continuing legal education in ethics and law office management over and above his otherwise required continuing legal education hours during the next reporting period.
- (4) Respondent shall pay the costs of these proceedings pursuant to Rule 3.15 of the Rules of Lawyer Disciplinary Procedure.

Service of a copy of this order upon the respondent, David A. Mohler, the Office of Disciplinary Counsel, and the West Virginia State Bar constitutes sufficient notice of the contents.

A True Copy

Attest: /s/ Edythe Nash Gaiser  
Clerk of Court

