

STATE OF WEST VIRGINIA

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OFFICE OF  
DISCIPLINARY COUNSEL

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 22<sup>nd</sup> of May, 2017, the following order was made and entered:

Lawyer Disciplinary Board,  
Petitioner

vs) No. 15-1243

Michael P. Cooke,  
Respondent

MANDATE

Pursuant to Rule of Appellate Procedure 26, the opinion previously issued in the above-captioned case is now final and is hereby certified to the Lawyer Disciplinary Board and to the parties. The respondent's license to practice law in the State of West Virginia is hereby suspended for 2 years. If respondent is reinstated, he is to be supervised by another attorney approved by ODC for a period of one year. Prior to being reinstated, respondent must also complete an additional nine hours of continuing legal education; six hours in office procedures and/or office management and three hours in ethics. Prior to being reinstated, the respondent is hereby ordered to reimburse the Office of Disciplinary Counsel for the costs of this action in the amount of \$1,834.42. The Clerk is directed to remove this action from the docket of this Court.

A True Copy

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



# PRESS RELEASE

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## Office of Disciplinary Counsel

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### For Immediate Release

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**Contact:** Jessica H. Donahue Rhodes  
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### Michael P. Cooke – Law License Suspended

Charleston, WV— On May 22, 2017, the Supreme Court of Appeals of West Virginia issued a Mandate which suspended Respondent Michael P. Cooke’s license to practice law in the State of West Virginia for two (2) years. The Court also ordered if Respondent is reinstated, he is to be supervised by another attorney for one (1) year; that prior to being reinstated he shall complete an additional nine (9) hours of CLE in addition to the hours already required and shall pay the costs of the disciplinary proceedings. These sanctions were issued based upon findings that Respondent violated the following Rules of Professional Conduct: Rule 1.3-lack of diligence; Rule 1.4(a)(1)-promptly inform the client of any decision or circumstance for which the client’s informed consent is required; Rule 1.4(a)(3)-failure to keep client informed about the status of his case; Rule 1.4(b)-explain a matter to the extent reasonably necessary to permit the client to make informed decisions; Rule 1.15(a)-keeping property belonging to a client or third party separate from the lawyer’s property; Rule 1.15(d)-promptly notify a client or third party of receipt of funds or other property belonging to the client or third party; Rule 1.15(f)-deposit funds that are nominal in amount and will be held for a short period of time in an IOLTA account; Rule 3.4(c)-knowingly disobeying an obligation under the rules of a tribunal; Rule 8.1(b)-failure to respond to disciplinary authority; and Rule 8.4(d)-engaging in conduct prejudicial to the administration of justice.

Copies of the Court’s May 22, 2017 Mandate and the April 20, 2017 Opinion are attached hereto. If you have any questions regarding this matter, please contact the Office of Disciplinary Counsel in Charleston, West Virginia.

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