Conclusion

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other eligible proceeding, on the ground that the representation "is likely to result in an unreasonable financial burden" on the lawyer.\textsuperscript{1630}

\textbf{F. Agency}

Justice McHugh held in \textit{Teter v. Old Colony Co.}\textsuperscript{1631} that "[o]ne of the essential elements of an agency relationship is the existence of some degree of control by the principal over the conduct and activities of the agent."\textsuperscript{1632}

\textbf{G. Capitalization}

In \textit{Laya v. Erin Homes, Inc.}\textsuperscript{1633} Justice McHugh stated that "[g]enerally, the presumption is that the party dealing with the corporation did not assume the risk of grossly inadequate capitalization."\textsuperscript{1634}

\textbf{XXVI. CONCLUSION}

During his tenure on the West Virginia Supreme Court of Appeals, Justice McHugh established himself as a judicial giant who walked with a humble spirit and gracious demeanor. Although few may equal his talents as a legal thinker, none will ever measure up to the fullness of the man. As a member of our state's highest court, Justice McHugh was a judicial jewel who did his best not to allow his greatness to cast a shadow over the lights of those around him.

\textsuperscript{1630} Id. at Syl.
\textsuperscript{1631} 441 S.E.2d 728 (W. Va. 1994).
\textsuperscript{1632} Id. at Syl. Pt. 3.
\textsuperscript{1633} 352 S.E.2d 93 (W. Va. 1986).
\textsuperscript{1634} Id. at Syl. Pt. 4.