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Conclusion

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West Virginia Supreme Court of Appeals

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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.  

F. Agency

Justice McHugh held in Teter v. Old Colony Co. 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.”

G. Capitalization

In Laya v. Erin Homes, Inc., 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.”

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.