

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Abernathy, Deborah L.</u></b>  04/20/09 DC Nos. 07-0619, et al. SB-09-0017-D  (By Judgment)</p>	<p>Respondent failed to competently and diligently represent clients. Respondent further failed to safeguard client property, entered into an improper fee agreement and failed to protect the clients' interests upon termination of representation. ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16(d)</p>	<p>Ten month Suspension, Restitution, and two years of Probation (CLE/LOMAP)  <a href="#">View Report</a></p>	<p>Ten month Suspension, Restitution, and two years of Probation (CLE/LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (c) (d) (e) and (g) In mitigation: 9.32(i) Mental state: knowing 9.32(l) Actual injury</p>
<p><b><u>Abernathy, Deborah L.</u></b>  10/28/09 DC No. 08-0262 SB-09-0096-D  (By Judgment)</p>	<p>Upon withdrawing from representation in a dissolution proceeding, Respondent failed to provide the client an accounting of the flat fee charged. Respondent further failed to timely respond and fully cooperate with the State Bar's investigation. ER 1.15, 1.6, 8.1(b) and Rules 53(d) and 53(f)</p>	<p>30-day Suspension and Fee Arbitration  <a href="#">View Report</a></p>	<p>30-day Suspension and Fee Arbitration  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation 9.22(a) (b) (c) (d) (e) and (i) No factors in mitigation Mental state: knowing or should have known; grossly negligent in failing to keep sufficient records Potential injury</p>

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<p><b><u>Adelman, Steven A.</u></b>  06/30/09 DC No. 08-1680 SB-09-0063-D  (By Judgment)</p>	<p>Respondent filed an unverified disclosure statement and served improper discovery requests and motions. ERs 1.2, 1.3, 1.4, 3.2, 3.4, 4.4 and 8.4(d)</p>	<p>Accept Agreement for Censure and one-year Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and one-year Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) and (e) Mental state: negligent Injury not discussed</p>
<p><b><u>Alavez, Erin M.</u></b>  03/17/09 DC No. 07-1681 et al. SB-08-0170-D  (By Judgment)</p>	<p>Respondent accepted retainers from clients and then abandoned clients and their cases. Respondent demonstrated a lack of candor towards the tribunal and engaged in conduct involving dishonesty. Respondent further failed to respond or cooperate with the State Bar’s investigation. ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.1, 3.2, 3.3, 3.4, 8.4(c), 8.4(d) and Rules 41(c), 53(a), 53(c), (d), 53(e) and 53(f)</p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (g) (h) and (i) No factors in mitigation Mental state: knowing Actual injury</p>

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<p><b><u>Alavez, Erin M.</u></b>  03/17/09 DC No. 08-0277 SB-09-0002-D  (By Order)</p>	<p>In a criminal matter, Respondent failed to file a proper motion to withdraw, failed to appear at a sentence hearing, and failed to contact the Court. Respondent further failed to promptly comply with Court orders and failed to respond or cooperate with the State Bar’s inquiries. ERs 1.3, 3.2, 3.4(c), 8.1(b), 8.4(d) and Rules 53(d) and 53(f)</p>	<p>Censure  <a href="#">View Report</a></p>	<p>Suspension for Six months and one day  <a href="#">View Report</a></p>	<p><i>Sua Sponte</i> review The Court vacated the decisions of the Disciplinary Commission and hearing officer and remanded the matter to the State Bar.  <a href="#">View Order</a></p>	
<p><b><u>Amack, Edward A.</u></b>  6/16/09 DC No. 07-1337 SB-09-0027-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by entering into a business contract with his clients and subsequently represented co-defendants in a criminal case without obtaining a written waiver. Respondent also attempted to limit his former client’s right to report the misconduct to the State Bar of Arizona. Respondent further failed to correct a misapprehension that arose during the investigation of this matter. ERs 1.7, 1.8(a), 1.8(h), 8.1(b), 8.4(a), 8.4(d)</p>	<p>Accept Agreement for six month Suspension and two years of Probation  <a href="#">View Report</a></p>	<p>Accept Agreement for six month Suspension and two years of Probation  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) and (i) No factors in mitigation: Mental state: knowing Potential injury</p>

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<p><b><u>Ariav, Alan N.</u></b>  07/23/09 DC No. 06-1741 SB-09-0056-D  (By Judgment)</p>	<p>Respondent represented a client in an employment matter and during a private mediation session, Respondent made misrepresentations to the mediator and to the AG's office. Respondent further misled the State about the amount of attorney fees incurred. ERs 3.3(a)(1), 4.1(a), 8.1(a), 8.4(c), 8.4(d)</p>	<p>Six-month Suspension and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>Six-months and one-day Suspension  <a href="#">View Report</a></p>	<p><i>Sua Sponte</i> review to amend the start date for the Suspension  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(b) (e) (f) (i) In mitigation: 9.32(a) (i) (g) Mental state: knowing Actual injury</p>
<p><b><u>Berry, Bobbi Anne</u></b>  03/26/09 DC No. 08-0183 SB-09-0023-D  (By Judgment)</p>	<p>In the course of a criminal trial, Respondent made a false statement of material fact during closing argument that she failed to correct and those statements were not justified based on the evidence. ERs 3.3(a)(1), 3.4(c) and 8.4(d)</p>	<p>Agreement for Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>Agreement for Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(i) In mitigation 9.32(a) (b) (e) (g) and (l) Mental state: negligent Potential injury</p>

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<p><b><u>Bloom, Jay R.</u></b>  05/21/09 DC No. 08-0488 SB-09-0040-D  (By Judgment)</p>	<p>While representing a client in dissolution proceeding, Respondent disobeyed an obligation under the rules of a tribunal, engaged in conduct prejudicial to the administration of justice, and willfully violated a court order. Specifically, Respondent withheld a vehicle title until his client's child support obligations were satisfied, despite being ordered to do so by the Court. ERs 3.4(c), 8.4(d) and Rule 53(c)</p>	<p>Censure  <a href="#">View Report</a>  <a href="#">View Report</a></p>	<p>Censure  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) (d) and (e) Mental State: knowing Actual or potential injury Reduction in presumptive sanction of justified based on aggravating and mitigating factors</p>
<p><b><u>Boegemann, Les A.</u></b>  07/17/09 DC No. 08-0606, et al. SB-09-0069-D  (By Judgment)</p>	<p>In a dissolution matter, Respondent erroneously advised his client to discontinue making payments in violation of a court order. ERs 8.4(a), 8.4(d) and Rule 53(c)</p>	<p>Accept Agreement for Censure  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) In mitigation: 9.32(f) Mental state: negligent Potential injury</p>

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<p><b><u>Boyden, Stephen J.</u></b>  07/24/09 DC No. 08-0950, et al. SB-09-0067-D  (By Judgment)</p>	<p>Respondent violated a condition of admission by failing to adhere to the terms of his therapeutic MAP contract. Respondent also engaged in criminal conduct and pled guilty to Aggravated Assault, a class 3 Felony, Aggravated Assault, a class A Misdemeanor, and Attempted Domestic Violence in the Presence of a Child, a class B Misdemeanor. Respondent failed to cooperate or furnish information to the State Bar. ERs 3.2, 3.4 8.4(b) and Rules 32(c)(3), 53(d), 53(f), 53(g) and 53(h).</p>	<p>Accept Agreement for a six month and one day suspension and as a condition of reinstatement full MAP screening and upon reinstatement, two years of probation (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for a six month and one day suspension and as a condition of reinstatement full MAP screening and upon reinstatement, two years of probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>Conditional admittee In aggravation: 9.22(d) and (k) In mitigation: 9.32(f) and (k) Mental state: knowing Actual and potential injury</p>
<p><b><u>Bracamonte, Ricardo A.</u></b>  09/22/09 DC No. 08-1300 SB-09-0087-D  (By Judgment)</p>	<p>While representing a client in a child custody and visitation matter, Respondent made misrepresentations to the court regarding his availability and ability to proceed in the matter. Because he was not prepared, Respondent stated to the Judge that he had another matter scheduled in Juvenile Court on his morning calendar and therefore could not proceed with the evidentiary hearing. ERs 3.3(a)(1), 4.1(a), 8.4(a), 8.4(c), 8.4(d) and Rules 41(c), 41(e), 41(g)</p>	<p>Accept Agreement for 30-day Suspension and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for 30-day Suspension and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (h) and (i) In mitigation: 9.32(c) (d) (e) (k) and (l) Mental state: knowing Actual injury</p>

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<p><b><u>Brinton, Mark F.</u></b>  04/20/09 DC Nos. 07-2104, et al. SB-09-0012-D  (By Judgment)</p>	<p>While suspended, Respondent engaged in the unauthorized practice of law and failed to notify his clients and opposing parties of his suspension. ERs 5.5(a), 5.5(b) and Rules 31(c) and 72(a)(3)</p>	<p>Accept Agreement for six month Suspension (retroactive) and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for six month Suspension (retroactive) and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) and (i) In mitigation: 9.32(b) and (e) Mental state: negligent Potential injury</p>
<p><b><u>Charles, Joseph W.</u></b>  10/15/09 DC Nos. 07-0302, et al. SB-09-0100-D  (By Judgment)</p>	<p>Respondent misrepresented information to the Court in his Motion for Contribution for Attorney Fees. Respondent failed to promptly process the estate of his client's husband and failed to keep the client informed of the status of her case. Respondent also violated an order of the Court requiring each party to bear its own attorney fees when he paid himself first from the proceeds of the marital residence. Respondent further failed to respond to a demand for information from the State Bar. ERs 1.3, 1.4, 8.1(b), 8.4(c), 8.4(d) and Rule 53(f)</p>	<p>Censure and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Censure and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (c) (d) and (i) In mitigation: 9.32(g) and (m) Mental state: negligent and knowing Potential injury</p>

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<p><b><u>Charles, Joseph W.</u></b>  06/01/09 DC Nos. 05-2002, et al. SB-09-0029-D  (By Judgment)</p>	<p>In a probate matter, Respondent engaged in a conflict of interest by representing two clients with adverse interests. Respondent represented both the Co-Personal Representative and the Estate and thereafter, used information obtained from to have a Co-Personal Representative replaced. ER 1.9(a)</p>	<p>Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) and (i) No factors in mitigation: Mental state: negligent No actual injury</p>
<p><b><u>Coker, Tim D.</u></b>  07/24/09 DC No. 08-0630, et al. SB-09-0054-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by entering into a business transaction with a client and acquiring an ownership interest adverse to the client. Respondent failed to advise the client to seek independent counsel and to obtain informed consent. Respondent further pled guilty to one count of Possession of Drug Paraphernalia, a class 6 undesignated felony. ERs 1.7(a), 1.8(a), 1.8(e), 1.16, 8.4(b) and 8.4(d)</p>	<p>Accept agreement for one-year Suspension and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>Accept agreement for one-year Suspension and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) (i) and (k) In mitigation: 9.32(e) and (i) Mental state: knowing Actual and potential injury</p>

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<p><b><u>Didio, Joseph S.</u></b>  04/20/09 DC Nos. 07-1910, et al. SB-09-0018-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate and diligently and competently represent clients. Respondent collected advance fees from clients and then performed no work. Respondent engaged in a pattern of neglect of clients, failed to return fees, and virtually abandoned his practice. ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.7, 1.16, 3.4(c), 5.1, 8.1(b), 8.4(c), 8.4(d) and Rules 53(d) and (f)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (c) (d) (e) (f) (h) and (i) In mitigation: 9.32(a) Mental state: knowing Actual injury and serious potential injury</p>
<p><b><u>Droeger, Gregory L.</u></b>  12/29/09 DC No. 08-0462 SB-09-0119-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by representing a client with interests directly adverse to a will and codicil that Respondent drafted and witnessed for a another client. Respondent further delayed the probate process and caused additional costs to be incurred against the estate. ERs 1.7, 3.7 and 8.4(d)</p>	<p>Accept Agreement for Censure and viewing of video <i>Ten Deadly Sins of Conflict</i>  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and viewing of video <i>Ten Deadly Sins of Conflict</i>  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) and (l) Mental state: negligent Actual injury</p>

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<p><b><u>Duffy, Ted J.</u></b>  12/02/09 DC No. 06-1958 SB-09-0099-D  (By Judgment)</p>	<p>During a murder trial, Respondent violated the court’s order when he failed to redact a reference regarding the defendant’s prior convictions. Respondent asserted personal knowledge of facts and implied that other incriminating evidence had been withheld. After being admonished by the court, Respondent further made a repeated improper argument in his opening statement and improperly argued the burden of proof. ERs 3.1, 3.3(a)(1), 3.4(c), 3.4(e), 8.4(d)</p>	<p>30 day Suspension and one year of Probation (15 hrs CLE)  <a href="#">View Report</a></p>	<p>30 day Suspension and one year of Probation (15 hrs CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) (d) (g) and (i) In mitigation: 9.32(a) (b) and (e) Mental state: knowing Actual injury</p>
<p><b><u>Eckley, James R.</u></b>  08/24/09 DC Nos. 05-2050, et al. SB-09-0082-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by failing to advise his client of his ownership interest in writing and failing to advise his client to seek independent counsel regarding the ownership interest. Respondent further failed to adhere to trust rules and guidelines regarding the handling of client funds. ERs 1.8(a), 5.7 and Rules 43 and 44(a)</p>	<p>Accept Agreement for Censure, two years of Probation (LOMAP audit), and Fee Arbitration  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure, two years of Probation (LOMAP audit), and Fee Arbitration  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) and (i) In mitigation: 9.32(b) and (e) Mental state: negligent Potential injury</p>

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<p><b><u>Freeman, Michael L.</u></b>  02/24/09 DC No. 06-2029 SB-09-0003-D  (By Judgment)</p>	<p>In a criminal matter, Respondent utilized methods of obtaining evidence that violated the legal rights of the minor victim. Specifically, Respondent served the Minor’s counselor with a subpoena <i>duces tecum</i> to obtain the psychological treatment records without notice to the State, the Minor or Minor’s representative. ER 4.4(a)</p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP/PM/CLE)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP/PM/CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (c) and (i) In mitigation: 9.32(b) and (e) Mental state: knowing/negligent Actual injury</p>
<p><b><u>Garza Jr., Raul</u></b>  06/02/09 DC Nos. 08-0065, et al. SB-09-0026-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate or diligently represent clients. Respondent received advance payment from clients for legal services and thereafter, failed to provide any legal services. Respondent failed to adhere to rules and guidelines governing the handling of his client trust account and converted client funds. Respondent further failed to respond or cooperate with the State Bar’s inquiries. ERs 1.2(a), 1.3, 1.4, 1.4(a)(3), 1.4(a)(4), 1.5(a), 1.15, 1.16(d), 3.2, 3.4(c), 4.1(a), 4.4(a),4.4(c), 8.1(b), 8.4(b), 8.4(c), 8.4(d), 8.4(e), and Rules 32(c)(3), 43(d)(1)(A), 44(a), 44(b)(4), 53(d) and 53(f)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(b) (c) (d) (g) (i) and (j) In mitigation: 9.32(a) Mental state: knowing Actual injury</p>

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<p><b><u>Gonzalez, J. Vincent</u></b>  02/11/09 DC No. 07-1404 SB-08-0177-D  (By Judgment)</p>	<p>Respondent failed to adhere to the requirements of the trust account rules and guidelines. Respondent failed to adequately maintain trust account records, co-mingled client property with the lawyer’s own property, and failed to safeguard client property. ER 1.15(a) and Rules 43 and 44</p>	<p>Accept Agreement for a 30 day Suspension and one year of Probation TAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for a 30 day Suspension and one year of Probation TAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) and (i) In mitigation: 9.32(a) (b) and (d) Mental state: knew or should have known Potential injury</p>
<p><b><u>Hentoff, Nicholas S.</u></b>  01/07/09 DC Nos. 07-1589, et al. SB-08-0171-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate and diligently represent clients. Respondent further failed to comply with court orders. ERs 1.2, 1.3, 1.4, 1.16(d), 3.4(c) and 8.4(d)</p>	<p>Agreement for six month and one day Suspension (retroactive), Probation, and restitution  <a href="#">View Report</a></p>	<p>Agreement for six month and one day Suspension (retroactive), Probation, and restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (c) and (i) In mitigation: 9.32(b) and (c) Mental state: knowing Actual injury</p>

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(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Honchar, Cornelia W.</u></b>  03/10/09 DC No. 07-1522  (By Order)</p>	<p>In a dissolution proceeding, Respondent engaged in overzealous representation of a client in an area of law with which Respondent was unfamiliar. Respondent’s emotional attachment affected her independent professional judgment and tactics pursued. Respondent further engaged in a concurrent conflict of interest and failed to maintain the respect due to courts of justice and judicial officers. ERs 1.1, 1.3, 1.7, 2.1, 3.1, 4.4, 8.4(d) and Rules 41(c) and 41(g)</p>	<p>Accept Agreement for one year of Probation (MAP)  <a href="#">View Report</a>  <a href="#">View Order</a></p>	<p>N/A</p>	<p>N/A</p>	<p>In aggravation: 9.22(d) (h) and (i) In mitigation: 9.32(a) (b) (c) (e) (g) and (k) Mental state: negligent Actual injury Unique circumstances present.</p>
<p><b><u>Howell III, William D.</u></b>  08/17/09 DC Nos. 08-1184, et al. SB-09-0078-D  (By Judgment)</p>	<p>In Count One, Respondent delayed litigation and made a false statement to the court in his response to a motion that he had malpractice insurance to cover the claims. In Count Two, Respondent failed to maintain accurate client trust account records and failed to timely respond to the State Bar’s request for information. In Count Three, Respondent refused to provide opposing counsel with medical records authorizations and caused his client’s complaint to be dismissed with prejudice. Respondent further delayed and obstructed the proceedings and refused to comply with the Court’s directive. In Count Four, Respondent failed to provide opposing counsel with information about Respondent’s ability to pay a judgment. Respondent further failed to attend the court hearing and lied about not being personally served when he filed his Motion to vacate Judgments. ERs 1.15, 3.2, 3.3, 3.4, 4.1, 4.4, 8.1(b),</p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (e) (k) No factors in mitigation Mental state: knowing Serious injury and potentially serious injury.</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
	8.4(c), 8.4(d) and Rules 32(c)(3), 41(c), 43(a), 43(d), 44(b), 53(c), 53(d) and 53(f)				
<p><b><u>Hudspeth, Donald W.</u></b> 09/23/09 DC No. 08-0342 SB-09-0090-D  (By Judgment)</p>	<p>Respondent failed to maintain his client trust account in accordance with trust account rules and guidelines. Respondent specifically failed to maintain the required records, failed to perform monthly three-way reconciliation, failed to properly supervise, failed to have adequate internal controls. Respondent further converted client funds and co-mingled client funds and personal funds. ERs 1.15(a), 1.15(b) and Rules 43(a), 43(d) and 44(a) and 44(b)</p>	<p>Accept Agreement for 30 day Suspension and one year of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for 30 day Suspension and one year of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) (b) (d) (e) and (l) Mental state: knowing Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Inserra, Daniel</u></b>  01/07/09 DC No. 06-1878, et al. SB-08-0166-D  (By Judgment)</p>	<p>Respondent failed to communicate and diligently represent clients, failed to serve a copy of a Petition for Order to Show Cause, lied to a client about the status of her case, misled the court, and failed to comply with court orders. ERs 1.1, 1.2, 1.2(a), 1.3, 1.4, 1.16(d), 3.2, 3.3, 3.4(c), 4.4(a), 8.4(c), 8.4(d), and Rule 53(c)</p>	<p>60 day Suspension and one year of Probation (LOMAP and MAP)  <a href="#">View Report</a></p>	<p>One year Suspension and one year of Probation (LOMAP and MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (c) (d) (g) (h) (i) and (j) In mitigation 9.32(c) Mental state: knowing and negligent Actual injury</p>
<p><b><u>Jackson, Jeff C.</u></b>  08/18/09 DC Nos. 07-2154, et al. SB-09-0079-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate and diligently represent clients and virtually abandoned clients. Respondent collected retainers and fees from clients and then failed to perform any legal services. Respondent further failed to pay court ordered child support and failed to cooperate with the State Bar's investigation. ERs 1.3, 1.4(a), 1.4(a)(4), 1.5(a), 1.5(b), 1.15(d), 1.16, 3.2, 3.4(a), 3.4(d), 8.1(b), 8.4(d) and Rule 53(c), 53(d) and 53(f).</p>	<p>Disbarment, two years of Probation upon reinstatement, and Restitution  <a href="#">View Report</a></p>	<p>Disbarment, two years of Probation upon reinstatement, and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (e) and (i) In mitigation:9.32(k) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Jenkins, James D.</u></b>  12/02/09 DC Nos. 07-1075 et al. SB-09-0105-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate with and diligently represent clients. Respondent failed to provide the clients' files to the subsequent attorney and failed to remit funds once the representation was terminated. In addition, Respondent engaged in a conflict of interest by entering into business transactions with his clients and by hiring family members to perform services for a client. Respondent further failed to respond to the State Bar's investigation. ERs 1.2, 1.3, 1.4, 1.5, 1.7, 1.8, 1.8(f), 1.15, 1.16, 1.16(d), 8.1, 8.4(a), 8.4(d) and Rules 53(d) and 53(f)</p>	<p>Accept agreement for 18 month suspension, two years of Probation, Fee Arbitration  <a href="#">View Report</a></p>	<p>Accept agreement for 18 month suspension, two years of Probation, Fee Arbitration  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (c) (d) (e) (h) and (i) In mitigation: 9.32(c) (g) (j) (k) and (m) Mental State: knowing Actual injury</p>
<p><b><u>Johnson, Charna R.</u></b>  01/06/09 DC No. 07-1645 SB-08-0175-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by drafting a will for her client in which she was the beneficiary. Respondent however, intended to use the will as a vehicle to hold property for the benefit of her client's children and not as a benefit to herself. ERs 1.8 and 8.4(d)</p>	<p>Accept Agreement for Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and one year of Probation (CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) and (e) Mental state: negligent Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Jung, Robert R.</u></b>  12/03/09 DC Nos. 08-1801 et al. SB-09-0109  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate with clients, failed to provide a timely accounting of work performed, failed to communicate in writing the scope of the representation and basis or rate of his fees, failed to refund unearned fees and to return documents upon termination of the representation. ERs 1.4, 1.5, 1.15, 1.16 and Rule 53(f)</p>	<p>Accept Agreement for a 60 day suspension , two years of Probation (MAP and LOMAP) and Restitution  <a href="#">View Report</a></p>	<p>Accept Agreement for a 60 day suspension , two years of Probation (MAP and LOMAP) and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Report</a></p>	<p>In aggravation: 9.22(a) (c) (d) and (i) In mitigation: 9.32(b) and (c) Mental state: negligent Actual injury</p>
<p><b><u>Judge-Myers, Valerie K.</u></b>  12/29/09 DC No. 08-2215 SB-09-0117-D  (By Judgment)</p>	<p>Respondent violated a term of her conditional admission to the Bar that she abstain from using alcohol. Rule 53(g)</p>	<p>Accept Agreement for Censure and continued Probation until March 19, 2010 (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and continued Probation until March 19, 2010 (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>No factors in aggravation In mitigation: 9.32(a) (b) (e) and (l) Mental state: negligent Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Karber, Michael R.</u></b>  08/18/09 DC Nos. 08-0341, et al. SB-09-0074-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate and diligently represent clients. In 2003, Respondent was criminally convicted in Oregon and Washington for driving under the influence. In 2007, Respondent further pled guilty to Endangerment, a Class 6 undesignated felony and Driving Under the Influence, a Class 1 misdemeanor in Arizona. Respondent further failed to respond to the State Bar’s investigations. ERs 1.3, 1.4, 1.16(d), 8.1(b), 8.4(b), 8.4(d), Rule 53(d) and 53(f)</p>	<p>Accept Agreement for 21-month Suspension (retroactive) and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for 21-month Suspension (retroactive) and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (c) (d) (e) and (i) In mitigation: 9.32(c) and (k) Mental state: knowing Actual and potential injury</p>
<p><b><u>Keller, Jason J.</u></b>  06/2/09 DC Nos. 07-1474, et al. SB-09-0030-D  (By Judgment)</p>	<p>Respondent repeatedly failed to communicate with his clients and failed to diligently represent clients. Respondent failed to schedule or attend court hearings, failed to interview witnesses, failed to file a notice of appeal, and failed to personally visit his clients in jail despite being ordered by the Court to do so. ERs 1.1, 1.2(a), 1.3, 1.4, 1.6, 3.2, 3.4(c), 8.4(d) and Rule 41(c) and 41(f)</p>	<p>Accept Agreement for three month Suspension and two years of Probation (MAP/LOMAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for three month Suspension and two years of Probation (MAP/LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) (d) In mitigation: 9.32(c) (e) (f) (k) Mental state: knowing No client injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

<b>CASE NAME DATE/NUMBER</b>	<b>VIOLATIONS DESCRIPTION DISCIPLINARY RULES</b>	<b>HEARING OFFICER RECOMMEND</b>	<b>DISCIPLINARY COMMISSION RECOMMEND</b>	<b>SUPREME COURT SANCTION</b>	<b>COMMENTS</b>
<p><b><u>Kelly, Hubert E.</u></b>  03/09/09 DC No. 08-0351  (By Order)</p>	<p>Respondent failed to timely provide a disclosure statement and to file a motion to amend. Respondent further failed to timely disclose witnesses and exhibits and to make a reasonably diligent effort to comply with a legally proper discovery request by an opposing party. ER 1.3 and 3.4(d)</p>	<p>Informal Reprimand and one year of Probation (LOMAP)  <a href="#">View Report</a>  <a href="#">View IR</a></p>	<p>N/A</p>	<p>N/A</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) (g) and (h) Mental state: negligent Potential injury</p>
<p><b><u>Lassen, Gary L.</u></b>  12/14/09 DC No. 06-1529 SB-09-0115-D  (By Judgment)</p>	<p>As a result of a no contest plea, Respondent was convicted of leaving the scene of an injury accident, a class 6 undesignated felony, extreme DUI, a class 1 misdemeanor, and endangerment, a class 6 undesignated felony. ER 8.4(b) and Rule 53(h)(1)</p>	<p>Censure and one year of Probation (MAP)  <a href="#">View Report</a></p>	<p>Censure and one year of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(k) In mitigation: 9.32(a) (b) (d) (e) (g) (j) and (l) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Labuda, William M.</u></b>  12/02/09 DC Nos. 08-1383, et al. SB-09-0108-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to timely respond to clients' requests for information and failed to expedite their matters. Respondent further failed to attend court hearings, failed to protect his clients' interest upon termination of representation and failed to respond to the State Bar's investigation. ERs 1.2, 1.3, 1.4, 1.16, 1.16(d), 3.4(c), 8.1(b), 8.4(d) and Rules 53(b), 53(d) and 53(f)</p>	<p>Accept Agreement for six month and one-day Suspension, Fee Arbitration, and Restitution  <a href="#">View Report</a></p>	<p>Accept Agreement for six month and one-day Suspension, Fee Arbitration, and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) (d) and (e) In mitigation: 9.32(a) (b) (c) and (g) Mental state: knowing Actual injury</p>
<p><b><u>Labuda, William M.</u></b>  09/02/09 DC No. 08-1081 SB-09-0085-D  (By Judgment)</p>	<p>Respondent failed to conduct a State Bar fee arbitration hearing within the prescribed time after volunteering to serve as an arbitrator. Respondent ultimately held the hearing but then failed to timely issue the arbitration award. Respondent further failed to respond or cooperate with the State Bar's investigation. ERs 3.4(c), 8.1, 8.4(d) and Rules 53(d) and 53(f)</p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) and (d) In mitigation: 9.32(a) (f) (i) and (l) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Laganke, James M.</u></b>  08/24/09 DC Nos. 07-2049, et al. SB-09-0081-D  (By Judgment)</p>	<p>Respondent failed to have a written fee agreement and failed to adequately supervise his non-lawyer assistant. ERs 1.3, 1.5, and 5.3</p>	<p>Accept Agreement for Censure, one year of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure, one year of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c), (d) and (i) In mitigation: 9.32(a) (b) and (e) Mental state: negligent Actual and potential injury</p>
<p><b><u>Lenkowsky, Paul</u></b>  01/07/09 DC No. 05-1347 SB-08-0172-D  (By Judgment)</p>	<p>Respondent charged a client unreasonable fees and expenses, revealed information relating to the representation of a client without the client's informed consent, and engaged in numerous conflicts of interest. Respondent further failed to safe keep client property and to maintain trust account records for five years after the representation terminated. ERs 1.5, 1.6, 1.7(a)(1), 1.7(a)(2), 1.8(a), 1.8(b), 1.9, 1.15(a), 8.4(d) and Rule 43.</p>	<p>Accept Agreement for 90 day suspension (retroactive) and two years of probation (LOMAP/PM/MAP/TAEPP/TAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for 90 day suspension (retroactive) and two years of probation (LOMAP/PM/MAP/TAEPP/TAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (c) (d) and (i) In mitigation: 9.32 (c) and (k) Mental state: knowing and negligent Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Lockwood, Chester R.</u></b>  04/20/09 DC Nos. 07-1611, et al. SB-09-0024-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate and diligently represent clients. Respondent further failed to properly supervise his non-lawyer staff and timely refund unearned fees. ERs 1.3, 1.4, 1.5(b), 1.7(a)(2), 3.2(b), 3.4(c), 1.15(d), 1.16(d), 5.3, 5.5, 8.4(d) and Rule 53(f).</p>	<p>90 day Suspension and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>90 day Suspension and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) and (i) In mitigation: 9.32(a) (b) and (g) Mental state: knowing Actual injury</p>
<p><b><u>Luff Jr., Richard R.</u></b>  09/02/09 DC No. 08-1387 SB-09-0086-D  (By Judgment)</p>	<p>Respondent was court appointed counsel in a juvenile delinquency matter. Respondent failed to appear at a juvenile dependency hearing and was subsequently removed as the juvenile's attorney and ordered not to have contact with the juvenile. Respondent thereafter had contact with the juvenile while the delinquency action was pending in violation of the Court's order. ERs 3.4(c), 8.4(d) and Rule 53(c)</p>	<p>Accept Agreement for Censure and six months of Probation (LOMAP/EEP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and six months of Probation (LOMAP/EEP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>No factors in aggravation In mitigation: 9.32(a) and (b) and (e) Mental state: knowing Injury not discussed. Mitigating factors support a deviated sanction from the presumptive of suspension to censure.</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

<b>CASE NAME DATE/NUMBER</b>	<b>VIOLATIONS DESCRIPTION DISCIPLINARY RULES</b>	<b>HEARING OFFICER RECOMMEND</b>	<b>DISCIPLINARY COMMISSION RECOMMEND</b>	<b>SUPREME COURT SANCTION</b>	<b>COMMENTS</b>
<p><b><u>Martin, Rex L.</u></b>  07/24/09 DC No. 08-1493 SB-09-0055-D  (By Judgment)</p>	<p>After accepting a retainer to represent a client in a civil matter, Respondent failed to perform the legal services for which he was hired. Respondent virtually abandoned his client and caused a Judgment to be filed against her. Respondent further failed to respond and cooperate with the State Bar’s investigation. ERs 1.1, 1.3, 1.4, 8.1(b), 8.4(d) and Rule 53(f)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (c) (e) No factors in mitigation Mental state: knowing Actual injury</p>
<p><b><u>May, Christopher L.</u></b>  03/17/09 DC Nos. 07-2159, et al. SB-09-0001-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate and diligently represent clients, virtually abandoned clients and failed to respond or cooperate with the State Bar’s investigation. Respondent failed to comply with court orders regarding discovery, failed to pay a filing fee and allowed a matter to be dismissed and a judgment to be entered against a client. Respondent thereafter, failed to inform the client of the judgment against her. ERs 1.1, 1.3, 1.4(a), 1.15(c), 1.16(d), 3.2, 3.4(c), 8.1(b), 8.4(c), 8.4(d) and Rule 53</p>	<p>One year Suspension and Restitution  <a href="#">View Report</a></p>	<p>One year Suspension and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default In aggravation: 9.22(c) (d) (e) In mitigation: 9.32(a) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>May, Christopher L.</u></b>  06/29/09 DC Nos. 08-1179, et al. SB-09-0036-D  (By Judgment)</p>	<p>While summarily suspended for failure to comply with mandatory continuing legal education requirements, Respondent engaged in the unauthorized practice of law. Respondent failed to provide competent representation, to diligently represent or communicate with clients, failed to earn fees that were paid to him by clients, and virtually abandoned clients. Respondent further failed to respond or cooperate with the State Bar’s investigation. ERs 1.1, 1.2(a), 1.3, 1.4(a), 1.4(b), 1.5(a), 1.5(b), 1.15(a), 1.15(c), 1.15(d), 1.16(d), 3.2, 4.1(a), 4.4(a), 5.5(a), 5.5(b), 8.1(b), 8.4(d), and Rules 31(a)(2)(B), 31(b), 31(c), 32(c)(3), 41(c), 41(g), 53(d), 53(f) and 72</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (e) (h) (i) and (j) No factors in mitigation Mental state: intentional Actual and potential injury</p>
<p><b><u>Messer, Troy L.</u></b>  09/16/09 DC No. 08-1521 SB-09-0092-D  (By Judgment)</p>	<p>While representing a client in a criminal matter, Respondent failed to avoid a concurrent conflict of interest when there was significant risk that the representation would be materially limited by Respondent’s personal interest. Respondent further failed to avoid a conflict of interest by engaging in a consensual intimate relationship with his current client. ERs 1.7(a)(2) and 1.8(j)</p>	<p>Censure and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>Censure and two years of Probation (LOMAP/MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(b) In mitigation: 9.32(a) (c) and (e) Mental state: knowing Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Mikal, Kenneth J.</u></b>  04/20/09 DC No. 07-1604 SB-09-0020-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to communicate with and diligently represent clients. Respondent failed to perform services for his clients and failed to adhere to the rules and guidelines governing the handling of his client trust account, including the conversion of client property for his own benefit. Respondent further failed to advise the court, his client, and opposing counsel of his suspension, engaged in the unauthorized practice of law while suspended, ignored a court order to appear, and failed to respond or cooperate with the State Bar's inquiries. ERs 1.3, 1.4(a)(3), 1.4(a)(5), 1.5, 3.4(c), 4.4(a), 5.5(b)(2), 8.1(b), 8.4(c), 8.4(d) and Rules 43(d)(1)(a), 43(d)(3), 43(d)(4), 53(d), 53(f), 72(a)(1), 72(a)(3), 72(a)(4) and 72(b)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(b) (c) (d) (e) (g) (i) (j) and (k) In mitigation 9.32(a) Mental state: knowing Actual injury</p>
<p><b><u>Miranda, Victoria R.</u></b>  06/29/09 DC No. 08-0407 SB-09-0047-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate the basis of the attorney fee in writing to her client. Respondent further failed to provide an accounting of earned fees to the client upon request by the client, and failed to return unearned funds upon termination of the representation. ERs 1.5, 1.15, 1.16(d)</p>	<p>30 day Suspension, two years of Probation (MAP), and Restitution  <a href="#">View Report</a></p>	<p>90 day Suspension, two years of Probation (MAP/LOMAP), and Restitution  <a href="#">View Report</a></p>	<p><i>Sua sponte</i> review to amend the language of the terms and conditions of probation.  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) ( In mitigation: 9.32(b) and (g) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Moffatt, Jeffrey D.</u></b>  07/24/09 DC No. 07-1428 SB-09-0089-D  (By Judgment)</p>	<p>Respondent engaged in a pattern of client neglect. Respondent failed to diligently and competently represent his clients by filing numerous deficient pleadings in federal court. ERs 1.1, 1.3, 3.1 and 8.4(d)</p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP/CLE)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP/CLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) In mitigation: 9.32(a) (c) and (l) Mental state: knowing and negligent Injury is not discussed</p>
<p><b><u>Moore, John P.</u></b>  06/24/09 DC No. 08-1382  (By Order)</p>	<p>Respondent failed to adequately communicate in writing the scope of the representation and fee basis to his client. ER 1.5(b)</p>	<p>Informal Reprimand  <a href="#">View Report</a></p>	<p>n/a</p>	<p>n/a</p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) (e) (g) (l) and (m) Mental state: negligent No client injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Nesbitt, Edward C.</u></b>  07/17/09 DC No. 08-1236 SB-09-0068-D  (By Judgment)</p>	<p>In a criminal matter, Respondent agreed to handle the appeal to the Ninth Circuit and filed a timely Notice of Appeal to preserve the client's rights. Respondent failed to follow-up with the client, obtain substitute counsel, or file a proper Notice to Withdraw. Respondent ignored repeated orders from the Ninth Circuit and his conduct caused the appeal to be delayed by approximately seven months. Respondent further failed to respond to the State Bar's requests for information. ERs 3.4(c), 8.1 and Rules 53(c), 53(d) and 53(f)</p>	<p>30 day Suspension and one year of Probation (MAP)  <a href="#">View Report</a></p>	<p>Censure  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) and (k). Mental state: knowing Actual injury</p>
<p><b><u>Olcott, Jonathan J.</u></b>  04/20/09 DC No. 05-2216 SB-09-0011-D  (By Judgment)</p>	<p>Respondent made a false statement of fact to the tribunal. Specifically, Respondent filed false affidavits with the court in support of applications for attorney fees, without reviewing the documents. ERs 3.3 and 8.4(d)</p>	<p>Informal Reprimand  <a href="#">View Report</a></p>	<p>Censure  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) (e) and (l) Mental state: knowing No actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Oliver, David E.</u></b>  03/04/09 DC No. 07-1259  (By Order)</p>	<p>Respondent failed to adhere to the rules and guidelines governing his client trust account. Respondent failed to safeguard client property and failed to exercise due care in the handling of his trust account. Respondent further failed maintain complete and adequate records for a period of five years and failed to timely respond to the State Bar’s investigation. ERs 8.1(b) and Rule 43(a), 43(d).</p>	<p>Informal Reprimand  <a href="#">View Report</a></p>	<p>Informal Reprimand  <a href="#">View Report</a>  <a href="#">View IR</a></p>	<p>N/A</p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) (b) (c) (d) and (l) Mental state: negligent Little or no actual injury or potential injury</p>
<p><b><u>Peskind, Elliot J.</u></b>  08/21/09 DC Nos. 08-0168, et al. SB-09-0080-D  (By Judgment)</p>	<p>Respondent failed to notify his clients in writing of an increase in his hourly fee, failed to timely respond to the State Bar’s request for information, violated a condition of his probation, and utilized letterhead containing his real estate certification, when he was no longer certified. ERs 1.5(b), 7.4(a), 53(e) and 53(f)</p>	<p>Censure and one year of Probation (LOMAP/Fee Arbitration)  <a href="#">View Report</a></p>	<p>Censure and one year of Probation (LOMAP/Fee Arbitration)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) (i) In mitigation: 9.32(b) (d) (g) (e) and (l) Mental state: negligent Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

<b>CASE NAME DATE/NUMBER</b>	<b>VIOLATIONS DESCRIPTION DISCIPLINARY RULES</b>	<b>HEARING OFFICER RECOMMEND</b>	<b>DISCIPLINARY COMMISSION RECOMMEND</b>	<b>SUPREME COURT SANCTION</b>	<b>COMMENTS</b>
<p><b><u>Platt, Donna</u></b>  09/30/09 DC No. 07-2107 SB-09-0097-D  (By Judgment)</p>	<p>After numerous requests, the retention of counsel, a complaint to the State Bar, and a court ordered injunction, Respondent failed to timely provide the client's file and deliver the client's property. ERs 1.15(a), 1.16 and 8.4(d)</p>	<p>Censure, two years of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>Censure, two years of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(g) and (i) In mitigation: 9.32(a) Mental state: negligent Injury is not discussed</p>
<p><b><u>Proper, Andrew R.</u></b>  10/29/09 DC No. 08-1811 SB-09-0102-D  (By Judgment)</p>	<p>On December 9, 2008, Respondent pled guilty to one count of Aggravated DUI, a class four felony. ER 8.4(b) and Rule 53(h)</p>	<p>Accept Agreement for two year Suspension (retroactive) and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for two year Suspension (retroactive) and two years of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) and (k) In mitigation: 9.32(b) (d) (e) (g) (i) (k) and (l) Mental state: knowing Potential injury to public; actual injury to profession</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Renard, Stephen J.</u></b>  10/15/09 DC No. 07-1867 SB-09-0101-D  (By Judgment)</p>	<p>Respondent failed to competently and diligently represent clients. Respondent failed to timely serve two complaints filed on behalf of his client. Respondent further failed to have a signed fee agreement in a contingency fee matter. ERs 1.1, 1.3 and 1.5(c)</p>	<p>Censure and one year of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Censure and one year of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) and (d) In mitigation: 9.32(b) and (e) Mental state: negligent Actual injury</p>
<p><b><u>Renard, Stephen J.</u></b>  06/01/09 DC No. 08-0822 SB-09-0042-D  (By Judgment)</p>	<p>Respondent failed to promptly deliver a copy of the client’s medical records upon request and failed to surrender the records upon demand. Respondent further failed to respond to the State Bar’s request for information. ERs 1.15(d), 1.16(d) and Rule 53(f)</p>	<p>Accept Agreement for Censure and Two years of Probation (LOMAP/EEP)  <a href="#">View Report</a></p>	<p>Censure and two years of Probation (LOMAP/EEP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(d) In mitigation: 9.32(a) Mental state: negligent Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Risley, Scott K.</u></b>  10/28/09 DC No. 07-0992 SB-09-0094-D  (By Judgment)</p>	<p>In filing suit against a party Respondent failed to exercise diligence in determining whether a good faith basis for a claim existed. Respondent failed to timely dismiss the party after it was determined that no basis for a claim existed. Respondent further failed to pay a court ordered sanction. ERs 1.3, 3.1, 3.2, 3.4(c), 8.4(d) and Rule 53(c)</p>	<p>Accept Agreement for 30-day Suspension, two years of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>Accept Agreement for 30-day Suspension, two years of Probation (LOMAP), and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (d) and (i) In mitigation: 9.32(b) (c) (e) and (j) Mental state: knowing and negligent Actual injury</p>
<p><b><u>Schaffer, Mary V.</u></b>  08/03/09 DC No. 04-1881  (By Order)</p>	<p>Respondent violated a term of probation by failing to pay the monthly fee to MAP for services rendered in the monitoring of her compliance her probation contract. Rule 53(e)</p>	<p>Informal reprimand and restitution  <a href="#">View Report</a></p>	<p>n/a</p>	<p>n/a</p>	<p>In aggravation: 9.22(a) (e) and (i) In mitigation: 9.32(c) Mental state: negligent No actual or potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Schlievert, Scott W.</u></b>  01/07/09 DC No. 07-1484 SB-  (By Judgment)</p>	<p>While suspended, Respondent failed to fully comply with Rule 72 by failing to mail notice of his suspension by registered or certified mail to clients, opposing counsel and adverse parties. Respondent further misrepresented in his Affidavit of Compliance that he had complied with Rule 72. Additionally, Respondent engaged in the unauthorized practice of law by using the designation “law offices” and sending correspondence to the State Bar on letterhead that indicated “Law Offices of Scott Schlievert,” during his period of suspension. ERs 5.5, 8.1, 8.4(c), 8.4(d) and Rule 72(a), and 72(e)</p>	<p>Accept Agreement for a 90 day Suspension (retroactive)  <a href="#">View Report</a></p>	<p>Accept Agreement for a 90 day Suspension (retroactive)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) and (i) In mitigation: No actual harm and Respondent did not solicit clients Mental state: knowing Potential injury</p>
<p><b><u>Shell, Charles K.</u></b>  06/11/09 DC No. 08-0358 SB-09-0059-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by representing both an individual and family members with concurrent interests in a criminal matter. Respondent further failed to advise his client in writing of the scope of representation. ERs 1.5(b), 1.7 and 8.4(d)</p>	<p>Censure and one year of Probation (LOMAP/MCLE)  <a href="#">View Report</a></p>	<p>Censure and one year of Probation (LOMAP/MCLE)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (g) (h) and (i) In mitigation: 9.32(a) Mental state: negligent Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Shimko, Timothy A.</u></b>  06/23/09 DC No. 08-0760 SB-09-0061-D  (By Judgment)</p>	<p>Respondent overcharged a client, represented clients with potential conflicts of interest without obtaining informed consent in writing, represented an organization as a client without obtaining informed consent from the client in writing and without advising the client to seek the advice of independent legal counsel, and loaned his client money. ERs 1.5(a), 1.7, 1.8(a), 1.8(e), 1.13(e) and 8.4(a)</p>	<p>Accept Agreement for Censure  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Non-Member In aggravation: 9.22(b) and (i) In mitigation: 9.32(a) (d) (e) and (k) Mental state: knowing Potential injury</p>
<p><b><u>Simon, Craig J.</u></b>  04/20/09 DC No. 08-0051 SB-09-0021-D  (By Judgment)</p>	<p>While representing a client in a civil action, Respondent had an affair with his client and thereby engaged in a potential conflict of interest. As a result of the misconduct, there was significant risk that the representation would be materially limited by a personal interest of Respondent. ER 1.7</p>	<p>Accept Agreement for 60 day Suspension and one year of Probation (MAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for 60 day Suspension and one year of Probation (MAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>No factors in aggravation In mitigation: 9.32(a) (e) and (g) Mental state: knowing Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

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<p><b><u>Slate, Matilde E.</u></b>  04/20/09 DC Nos. 07-0499, et al. SB-09-0010-D  (By Judgment)</p>	<p>Respondent failed to adequately communicate with and diligently represent clients. In Count One, Respondent accepted a retainer from the client and then failed to perform the agreed-upon services. In Count Two, Respondent disobeyed an obligation under the rules of the tribunal by failing to appear for a court hearing. In Count Three, Respondent failed to communicate the scope of representation and the basis for the fee in writing. Respondent further failed to respond or cooperate with the State Bar’s inquiries. ERs 1.3, 1.4(a)(3), 1.5(b), 3.4(c), 4.2, 8.1(b), 8.4(d) and Rules 53(d) and 53(f)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(b) (c) (d) (e) (g) (i) and (j) In mitigation: 9.32(a) Mental state: knowing, if not intentional Actual injury</p>
<p><b><u>Sodikoff, Arnold M.</u></b>  04/20/09 DC Nos. 05-1451, et al. SB-09-0013-D  (By Judgment)</p>	<p>Respondent pled guilty to one count of shoplifting in violation of A.R.S. §13-1805, a class one misdemeanor. While suspended, Respondent engaged in the unauthorized practice of law, failed to properly notify clients, the courts or opposing counsel of his suspension and filed a false affidavit with the Court. Respondent further protracted litigation and failed to timely respond to the State Bar’s inquiries. ERs 3.4(c), 5.5(a), 8.4(b), 8.4(c), 8.4(d) and Rules 31(a)(2)(B), 31(a)(2)(B), 31(c), 53(c), 53(d), 53(f), 72(a) (1), 72(a)(3), 72(a)(4), 72(b), and 72(e)(1)</p>	<p>Dismissal of Count One and Disbarment  <a href="#">View Report</a>  <a href="#">View Report</a></p>	<p>Dismissal of Count One and two year Suspension  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (c) (d) (i) and (k) In mitigation: 9.32(c) and (g) Mental state: knowing Actual and potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Sorrell, Whitney L.</u></b>  06/26/09 DC No. 06-0531 SB-09-0065-D  (By Judgment)</p>	<p>Respondent loaned funds to clients without obtaining informed consent. Respondent further failed to properly supervise his non-lawyer employee and to maintain his client trust account according to trust account rules and guidelines. Respondent disbursed funds belonging to one client to another client. ERs 1.8(a), 1.8(e), 1.15 and Rules 43 and 44</p>	<p>Accept Agreement for Censure and two-year Probation (LOMAP/TAEPP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and two-year Probation (LOMAP/TAEPP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(c) In mitigation: 9.32(a) (b) Mental state: negligent Potential injury</p>
<p><b><u>Stevens, Victoria M.</u></b>  06/29/09 DC Nos. 07-0960, et al. SB-09-0041-D  (By Judgment)</p>	<p>In multiple counts, Respondent accepted retainers from clients and then failed to perform the legal services. Respondent failed to adequately communicate and diligently represent clients and failed to respond or cooperate with the State Bar’s investigation. ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16(d), 3.3, 8.1(a), 8.1(b), 8.4(c), 8.4(d) and Rules 43, 44, 53(d), 53(f) and 72</p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(b) (c) (d) (f) (g) (i) and (j) In mitigation: 9.32(a) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Struble, Charles A.</u></b>  06/30/09 DC No. 08-1681 SB-09-0062-D  (By Judgment)</p>	<p>Respondent failed to diligently communicate with and represent clients. Respondent failed to consult with his client and failed to supervise an associate within his firm which delayed court proceedings and created additional work for other parties. ERs 1.2, 1.3,1.4, 3.2, 5.1(b), 5.1(c)(1), 8.4(d)</p>	<p>Accept Agreement for Censure and one-year Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and one-year Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) and (e) Mental state: negligent No actual client injury</p>
<p><b><u>Suplizio, Jesse Paul</u></b>  04/20/09 DC Nos. 07-2079, et al. SB-09-0019-D  (By Judgment)</p>	<p>In multiple counts, Respondent failed to adequately communicate with or diligently represent clients. Respondent accepted retainers from clients and then failed to perform the agreed-upon services, virtually abandoning clients. Respondent also failed to manage his client trust account in accordance with rules and guidelines and converted client funds. Respondent further failed to respond or cooperate with the State Bar’s inquiries. ERs 1.2, 1.3, 1.4, 1.15, 1.16(d), 8.1(b) and Rules 43, 44 and 53</p>	<p>Disbarment, two years of Probation, and Restitution  <a href="#">View Report</a></p>	<p>Disbarment, two years of Probation, and Restitution  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (e) (g) and (j) In mitigation: Mental state: Serious injury or serious potential injury and converted client funds.</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Sweeney, Kevin B.</u></b>  07/09/09 DC No. 08-1225 SB-09-0066-D  (By Judgment)</p>	<p>Respondent engaged in the unauthorized practice of law while summarily suspended from the practice of law for failure to pay bar dues and failure to comply with MCLE requirements. Respondent further failed to respond and cooperate with the State Bar’s investigation. ERs 5.5, 8.1 and 8.4</p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>Accept Agreement for Censure and two years of Probation (LOMAP)  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(g) Mental state: negligent Injury not discussed</p>
<p><b><u>Tiftt, William L.</u></b>  06/29/09 DC Nos. 07-0665, et al. SB-09-0045-D  (By Judgment)</p>	<p>In three separate counts, Respondent failed to adequately communicate with and diligently represent clients. Respondent willfully violated orders of the Court, charged an unreasonable fee, took fees in trust that were not earned, and co-mingled client and personal property. Respondent further violated a term of diversion and failed to respond or cooperate with the State Bar’s investigation. ERs 1.2(a), 1.3, 1.4(a)(4), 1.5(a), 1.15(a), 1.16(a)(2), 1.16(d), 1.7, 3.2, 3.4(a), 3.4(c), 8.1(b), 8.4(a), 8.4(c), 8.4(d) and Rules 43, 44, 53(c), 53(d), 53(e), and 53(f)</p>	<p>Disbarment and Restitution  <a href="#">View Report</a>  <a href="#">View Report</a></p>	<p>Disbarment and Restitution  <a href="#">View Report</a>  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (e) and (i) In mitigation: 9.32(c) (k) and (l) Mental state: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Trull, Michael J.</u></b>  08/18/09 DC No. 07-0645 SB-09-0077-D  (By Judgment)</p>	<p>While summarily suspended for failure to comply with MCLE requirements and nonpayment of dues, Respondent engaged in the unauthorized practice of law. Respondent served as the director of legal services for a corporation and was not an employee of that company. Respondent further failed to respond to the State Bar's investigation. ERs 5.5(a), 5.5(b), 8.1(b) and Rules 53(d) and 53(f).</p>	<p>Accept Agreement for Six-month Suspension  <a href="#">View Report</a></p>	<p>Accept Agreement for Six-month Suspension  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(e) and (i) In mitigation: 9.32(a) (b) (g) and (l) Mental state: knowing Potential injury</p>
<p><b><u>Valade Prichard, Laura Ann</u></b>  06/29/09 DC No. 07-1808 SB-09-0039-D  (By Judgment)</p>	<p>Respondent engaged in a conflict of interest with a client by entering into a consensual romantic relationship with a client. ER 1.7 (pre-2004 version)</p>	<p>Accept Agreement for 30-day Suspension  <a href="#">View Report</a></p>	<p>Accept Agreement for 30-day Suspension  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>No factors in aggravation In mitigation: 9.32(a) (e) and (j) In mitigation: Mental state: knowing Potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>Vice, George, III</u></b>  03/17/09 DC No. 07-0169 SB-08-0176-D  (By Judgment)</p>	<p>While suspended, Respondent engaged in the unauthorized practice of law. Respondent failed to follow the decisions of his client, revealed confidential information, and engaged in offensive personality. Respondent further made false representations to a tribunal and to the State Bar during its investigation. ERs 3.3(a), 5.5(a), 8.1(a), 8.4(d) and Rules 31(b), 31(c), 41(g)</p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>Disbarment  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>In aggravation: 9.22(a) (b) (f) (g) and (i) No factors in mitigation Mental state: intentional and knowing Actual injury and potential injury</p>
<p><b><u>Whipple, Rory L.</u></b>  06/29/09 DC No. 08-0871 SB-09-0038-D  (By Judgment)</p>	<p>After his suspension in File No. SB-07-0201-D (2007), Respondent failed to comply with the final Judgment and Order and failed to comply with Rule 72 for reinstatement. Respondent further made a false statement of material fact to a tribunal and failed to respond or cooperate with the State Bar’s investigation. ERs 3.3(a), 3.4(c), 5.3, 8.1(b), 8.4(c), 8.4(d) and Rules 41(e), 53(d) and (f).</p>	<p>Six-month and one day Suspension  <a href="#">View Report</a></p>	<p>Six-month and one day Suspension  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: In mitigation: Mental state: knowing Actual and potential injury</p>

**SUPREME COURT OF ARIZONA  
DISCIPLINARY CASES MATRIX  
(JANUARY 1 – DECEMBER 31, 2009)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><b><u>White-Steiner, Janet</u></b>  01/08/09 DC No. 06-0796 SB-08-0119-D  (By Opinion)</p>	<p>Respondent failed to adhere to trust account rules and guidelines thereby causing an overdraft to occur in the client trust account. Respondent failed to supervise the account, co-mingling and convert client funds, and failed to conduct monthly three-way reconciliations. ERs 1.15(a), 5.1, 5.3 and Rules 43 and 44</p>	<p>Censure and two years of Probation (LOMAP/TAP/TAEEP  <a href="#">View Report</a></p>	<p>Six month and one day Suspension  <a href="#">View Report</a></p>	<p>Petition for Review granted  <a href="#">View Opinion</a></p>	<p>In aggravation: 9.22(a) and (g) In mitigation: 9.32(b) and (g) Mental state: negligent Actual injury</p>
<p><b><u>Whiting, Dale E.</u></b>  06/02/09 DC No. 08-0751 SB-09-0037-D  (By Judgment)</p>	<p>Respondent filed a frivolous motion which was not in good faith and delayed the proceedings for no substantial purpose other than delay. Respondent further ignored court orders and failed to notify clients, the court and opposing parties of his suspension in File No. SB-07-0189-D (2008). ERs 3.4(c), 4.4(a), 8.4(d) and Rules 53(c) and 72(a)</p>	<p>One year Suspension and two years of Probation  <a href="#">View Report</a></p>	<p>One year Suspension and two years of Probation  <a href="#">View Report</a></p>	<p>No discretionary or <i>sua sponte</i> review  <a href="#">View Order</a></p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (e) and (i) No factors in mitigation Mental state: knowing Actual injury</p>

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