

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(JANUARY 1 – DECEMBER 31, 2006)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><u>Abernathy, Deborah L.</u> 01/04/06 DC No. 04-1252 SB-05-0171-D (By Judgment)</p>	<p>Respondent engaged in a pattern of neglect in handling client matters. Respondent failed to represent clients diligently and competently. Respondent knowingly failed to comply with court order or rule by failing to provide the court with the ordered proof of not charging her client legal fees, failing to appear at a show cause hearing, failing to properly request a continuance of the hearing and failing to appear at the return hearing. Respondent failed to expedite litigation and engaged in conduct that was prejudicial to the administration of justice. ERs 1.1, 1.2, 1.3, 1.4, 3.2, 3.4 and 8.4(d)</p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP) View Report</p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP/MAP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) (c) (e) (i) and (k). Mental State: knowing Minimal injury to clients Considerable mitigation present.</p>
<p><u>Alexander, Arthur B.</u> 06/15/06 DC Nos. 04-1758, et al. SB-06-0097-D (By Judgment)</p>	<p>In a divorce matter, Respondent received spousal maintenance checks from his client and deposited them into his trust account. In an effort to make the client’s former spouse comply with other provisions of the divorce decree, Respondent withheld the spousal maintenance payments for four months. Respondent knew the court had ordered his client to make payments directly to the former spouse. After four months and opposing counsel filing a post-decree action to enforce the order for spousal maintenance, Respondent ultimately sent opposing counsel a check for the total amount owed. ERs 1.15(d), 1.16(a) and 8.4(d)</p>	<p>Accept Agreement for Censure and one year of Probation (EEP) View Report</p>	<p>Accept Agreement for Censure and one year of Probation (EEP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) and (e) Mental State: negligent Injury or potential injury</p>
<p><u>Alikes, Stephen K.</u> 03/14/06 DC Nos. 04-0130, et al.</p>	<p>In the preparation of bankruptcy petitions, Respondent assisted convicted felon and disbarred lawyer, Ron Harris and his son Matt Harris, an uncertified document</p>	<p>Three year Suspension and Restitution</p>	<p>Three year Suspension and Restitution</p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>In aggravation: 9.22(b) (c) (d) (h) and (i) In mitigation: 9.32(a) (c) and (h)</p>

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SB-05-0174-D (By Judgment)	preparer, in the unauthorized practice of law. Respondent failed to supervise the Harris'. Respondent also shared fees with non-lawyers and allowed false statements to be submitted to the court. ERs 1.3, 3.3, 5.3, 5.5, 1.5, 8.4(c) and (d)	View Report	View Report	View Order	Mental State: knowing Actual injury The Commission requests that this matter not be cited for future proportionality analysis except in cases where identical circumstances are established.
<u>Ball, Richard T.</u> 05/30/06 DC No. 05-0597 (By Order)	Respondent failed to comply with trust account rules and guidelines. Respondent failed to hold property of clients or third persons separate from his own property and commingled funds. Respondent also failed to maintain duplicate deposit slips or the equivalent. ERs 1.15(a), 1.15(b), and Rule 43	Informal Reprimand and one year of Probation (LOMAP and TAEEP) View Report	Informal Reprimand and one year of Probation (LOMAP and TAEEP) View Report View Order	N/A	In aggravation: 9.22(c) In mitigation: 9.32(a) (b) (d) (e) and (l) Mental State: intentional No injury
<u>Banales, Paul S.</u> 02/07/06 DC No. 03-1957 SB-05-0158-D (By Judgment)	Respondent obstructed the State's access to evidence having potential evidentiary value and demonstrated a lack of candor towards the court. ERs 3.4(a) and 8.4(d)	60 day Suspension View Report	Six months Suspension View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22 (b) (g) and (i) In mitigation: 9.32(a) Mental State: knowing Actual injury
<u>Bendalin, Sherman B.</u> 12/28/06 DC No. 04-0972 SB-06-0175-D (By Judgment)	Respondent failed act with reasonable diligence and promptness and to keep clients informed about the status of their cases. Respondent also failed to adhere to trust account rules and guidelines. Respondent commingled client funds with the firm's operating account. Overall, Respondent's procedures for management of his trust account were deemed inadequate, with most duties being	Accept Agreement for Censure and one year of Probation (TAEEP) View Report	Accept Agreement for Censure and one year of Probation (TAEEP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(c) (d) and (i) In mitigation: 9.32(a) (d) (e) (g) and (l) Mental State: negligent Injury or potential injury

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	delegated to staff. Respondent further failed to promptly return client funds and provide an accounting upon request. ERs 1.3, 1.4, 1.15 and Rules 43 and 44				
<u>Biles, C. Dunham</u> 12/13/06 DC No. 06-0124 (By Order)	While summarily suspended for failure to pay bar dues, Respondent engaged in the unauthorized practice of law. Respondent filed pleadings on behalf of his client until the trial judge discovered that Respondent was not a member in good standing. Respondent also failed to notify the State Bar of his current address. ERs 5.5(a) and Rule 31(c)	Accept Agreement for Informal Reprimand View Report View Order	N/A	N/A	In aggravation: None In mitigation: 9.32(a) (b) (d) and (e) Mental State: negligent Little or no injury occurring
<u>Bond, Stephanie, K.</u> 08/11/06 DC No. 04-1578 SB-06-0128-D (By Judgment)	Respondent left an inappropriate and threatening voice mail message for another lawyer which caused him to notify law enforcement. Respondent thereafter, failed to answer the police detective's questions truthfully and falsely suggested that someone else recorded the message. ERs 8.4(c) and 8.4(d) and Rule 41(g)	Accept Agreement for Censure and one year of Probation (MAP and EEP) View Report	Accept Agreement for Censure and one year of Probation (MAP and EEP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: None In mitigation: 9.32(a) (e) (g) and (l) Mental State: knowing Actual injury
<u>Bryn, Jason J.</u> 09/26/06 DC Nos. 05-0959, et al. SB-06-0127-D (By Judgment)	Respondent failed to diligently represent clients and failed to meet deadlines. Respondent accepted fees from clients but failed to accomplish work for which he was retained. Respondent continually provided empty promises of action and when confronted by clients, declined to return unearned fees. Respondent further failed to comply with trust account rules and guidelines. Respondent failed to respond and cooperate with the State Bar's investigation.	Disbarment and two years of Probation (LOMAP/PM), upon reinstatement and Restitution View Report	Disbarment and two years of Probation (LOMAP/PM) , upon reinstatement and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	Conduct deemed admitted by default. In aggravation: 9.22(a) (b) (c) (d) (e) (g) (h) and (j) In mitigation: None Mental State: knowing and/or intentional Actual injury

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	ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1(b), 8.4(d) and Rules 43, 44, 53(d) and (f)				
<p><u>Christof, Kevin F.</u> 08/23/06 DC Nos. 04-1290, et al. SB-06-0110-D (By Judgment)</p>	<p>In count one, Respondent failed to file a petition for dissolution as instructed by his client and subsequently failed to timely file a notice of appearance or an answer after opposing counsel filed their petition and served his client. As a result, the client had a default judgment entered against her and incurred significant legal fees for substitute counsel in an unsuccessful attempt to get the default set aside. In count two, a child-support matter, Respondent failed to timely file a responsive motion resulting in an order of assignment that significantly reduced the ex-spouse's support and insurance payments to his client. In count three, Respondent agreed to represent a client in a child-support/custody matter. Thereafter, he failed to return the client's phone calls, emails, and regular mail, and abandoned her case. Respondent further failed to respond or cooperate with the State Bar's investigation. ERs 1.2, 1.3, 1.4 , 1.5, 3.2, 8.1(b), 8.4(d) and Rules 32(c)(3), 53(d) and 53(f)</p>	<p>Two year Suspension and two years of Probation (MAP) upon reinstatement, Restitution View Report</p>	<p>Two year Suspension and two years of Probation (MAP) upon reinstatement, Restitution View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(c) (d) (e) (g) (i) and (j) In mitigation: None Mental State: knowing; pattern of neglect Serious and potentially serious injury</p>

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<p><u>Cochran, Jerry L.</u> 05/16/06 DC No. 04-0037 SB-06-0066-D (By Judgment)</p>	<p>Respondent engaged in the unauthorized practice of law by representing a client in a civil litigation matter in Utah without being licensed to practice in that state. Respondent's filing of an answer in Utah was found to be negligent but thereafter, he knowingly continued to practice law in Utah by not immediately notifying the court and opposing counsel of his inability to practice or requesting temporary admission. ER 5.5(a)</p>	<p>Censure View Report</p>	<p>Censure View Report</p>	<p>No discretionary review View Order</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a)(b) (d) (e) (g) (k) and (l) Mental State: knowing Injury or potential injury</p>
<p><u>Coe, Sean M.</u> 05/24/06 DC No. 03-1240, et al. SB-06-0045-D (By Judgment)</p>	<p>Respondent evaded service of process of a civil complaint in which he was a named defendant. In a criminal matter, Respondent communicated with a party that he knew to be represented by counsel without authorization from the party's counsel. Respondent also failed to provide competent, diligent, prompt representation and communication to his client and failed to appear at scheduled hearings. Respondent further engaged in the unauthorized practice of law and failed to comply with the terms of probation imposed in another matter. Respondent failed to respond and cooperate with the State Bar's investigation of these matters. ERs 1.1, 1.3, 1.4(a)(3) and (4), 4.2, 5.5(a), 8.1(b), 8.4(c) and (d), and Rules 53(c), (d), (e), (f)</p>	<p>Two year Suspension and two years of Probation with terms and conditions to be determined upon reinstatement View Report</p>	<p>Two year Suspension and two years of Probation with terms and conditions to be determined upon reinstatement View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (c) (d) (e) and (i) No factors in mitigation Actual injury to clients and the legal system</p>

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<p><u>Cook, Robert M.</u> 02/10/06 DC No. 04-0713 (By Hearing Officer Order)</p>	<p>Respondent improperly entered into a business transaction and acquired an improper interest for payment of legal fees. The client did not give Respondent informed written consent and Respondent did not advise the client to seek independent legal counsel with regard to the transaction. ER 1.8(a)</p>	<p>Accept Agreement for an Informal Reprimand and one year of Probation (EEP and obtain an ethics opinion) View Report View Order</p>	<p>N/A</p>	<p>N/A</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (d) (e) (g) and (l) Mental State: negligent Little or no actual injury to the client Isolated instance</p>
<p><u>Dean, Nancy Elizabeth</u> 03/16/06 DC No. 02-2290 SB-05-0135-D (By Opinion) 473 Ariz. Adv. Rep. 17 129 P.3d 943</p>	<p>In her capacity as a prosecutor for Apache County Respondent continued to appear before former Judge Michael Nelson after entering into a romantic relationship with the former judge, thereby, creating a conflict of interest. Respondent also made false and material misrepresentations to the State Bar. ERs 1.7(b), 1.16(a)(1), 8.1(a), 8.1(b), 8.4(c), 8.4(d), and 8.4(f)</p>	<p>Six months Suspension and two years of Probation (MAP) View Report</p>	<p>One year Suspension (retroactive), and two years of Probation (MAP) View Report</p>	<p>Petition for Review granted Six months Suspension (retroactive) and two years of Probation (MAP) View Order View Opinion</p>	<p>In aggravation: 9.22(c) (d) (e) and (i) In mitigation: 9.32(a) (b) (c) (l) and public and personal humiliation Mental State: intentional Actual injury Supreme Court considered the sanction imposed in <i>Matter of Nelson</i>, 207 Ariz. 318, 86 P.3d 374 (2004) and thus reduced the recommend sanction</p>
<p><u>Doyle, Michael J.</u> 06/27/06 DC No. 03-2156 SB-06-0048-D (By Judgment)</p>	<p>Respondent represented a client in a tax lien property foreclosure matter and obtained a money judgment for the client. Subsequently, the client assigned his interest under the judgment to Respondent as payment for costs and attorney's fees. Shortly thereafter, the judgment debtor died and a sheriff's sale was held on his property to satisfy judgments against him. Respondent attended the sale representing</p>	<p>Agreement for 90-day Suspension and one year of probation (EEP and CLE) View Report</p>	<p>Agreement for 90-day Suspension and one year of probation (EEP and CLE) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(h) and (i) In mitigation: 9.32(a) and (g) Mental State: knowing Actual injury</p>

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	<p>his own interests as judgment creditor and representing his client/wife, a real estate agent. The judgment debtor's property was sold at an amount sufficient to satisfy the judgment. After the sale but before the end of the redemption period, Respondent learned that the judgment debtor had been married at the time of his death. Respondent contacted the judgment debtor's widow and informed her that he had a judgment against her late husband and offered to purchase the property to satisfy the debt. Respondent failed to inform the widow that a sheriff's sale had produced sufficient funds to satisfy the debt; that she should consult independent legal counsel; that he was personally interested in the property; and that the person the property would be transferred to was his client/wife. Respondent also failed to advise that an overage may have resulted from the sheriff's sale. ERs 4.1, 4.3, 4.4, 8.1(b) and 8.4(d)</p>				
<p><u>Ellett, Ronald J.</u> 11/22/06 DC No. 04-0666 SB-06-0163 (By Judgment)</p>	<p>Respondent failed to act with reasonable diligence and promptness in representing clients. Respondent failed to maintain the client's objectives with fund held in trust. Respondent further failed to identify a potential conflict of interest. Respondent also failed to safeguard client's property and converted funds to pay his legal fees. ERs 1.2, 1.3, 1.7, 1.15 and 1.16(d)</p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP) View Report</p>	<p>Accept Agreement for Censure and one year of Probation (LOMAP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) and (e) Mental State: negligent Injury or potential injury</p>
<p><u>Erickson, Richard C.</u> 11/29/06 DC Nos. 05-0437, et al. SB-06-0147-D</p>	<p>Respondent borrowed money from two clients without proper written disclosure and without getting the client's consent in writing. Respondent also failed to abide by a legal judgment entered against him and</p>	<p>Six months and one day Suspension, two years of probation upon reinstatement (MAP), and</p>	<p>Six months and one day Suspension, two years of probation upon reinstatement (MAP), and</p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (c) (d) (e) and (i) In mitigation: None</p>

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(By Judgment)	failed to cooperate with the State Bar's investigation while on probation in another matter. ERs 1.8(a), 1.15(a), 8.1(b) and Rules 43(a), 43(d), 44(b), 53(d) and 53(f)	Restitution View Report	Restitution View Report	View Order	Mental State: knowing Actual injury
<u>Everett, James J.</u> 02/07/06 DC No. 02-1133 SB-05-0166-D (By Judgment)	Respondent used a false address in order to stay within the Phoenix Division of the Bankruptcy Court. Respondent made a misrepresentation to the Bankruptcy Court by lying on a Chapter 13 Bankruptcy Petition for a client. ERs 3.3(a)(1), 4.1(a), 8.4(c) and (d)	Censure and one year of Probation (no less than nine hours CLE in the area of ethics) View Report	30 day Suspension and one year of Probation (discontinue use of address that is not clearly designated as his law firms address; correct all pending bankruptcy petitions; nine hours of CLE in ethics) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22 (a) and (i) In mitigation: 9.32 (b) and (e) Mental State: knowing and intentional Actual injury to legal system
<u>Finander, Brian E.</u> 02/07/06 DC Nos. 04-0507, et al. SB-05-0157-D (By Judgment)	Respondent brought a Special Action before the Court of Appeals when there was no good faith basis. Respondent also made a false statement to the tribunal and /or failed to correct a false statement of fact. ERs 3.1, 3.3, 4.1, 4.4, 8.4(c) and (d)	Censure and two years of Probation (MAP/EEP) View Report	Censure and two years of Probation (LOMAP/MAP/EEP) View Report	No discretionary or <i>sua sponte</i> review View Order	Conduct deemed admitted by default. In aggravation: 9.22(d) (e) (g) and (i) In mitigation: 9.32(a) Mental State: knowing Injury or potential injury
<u>Gabroy, Stefani J.</u> 09/26/06 DC Nos. 04-0735, et al. SB-06-0124-D	Respondent misused her client trust account, failed to comply with court orders, and failed to respond or cooperate with the State Bar's investigation. ERs 1.15, 3.4(c) and Rules 43, 44 and 53(c), 53(d) and 53(f)	Disbarment and Restitution	Two year Suspension, Two years of Probation upon reinstatement with terms to be decided upon	No discretionary or <i>sua sponte</i> review	In aggravation: 9.22(b) (c) (d) (e) (i) and (j) In mitigation: 9.32(a) and (c) Mental State: knowing

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(By Judgment)		View Report	View Report	View Order	Actual and potential injury
<u>Gieszl, Holly R.</u> 04/20/06 DC No. 03-1278 SB-06-0013-D (By Judgment)	Respondent represented a client in a personal injury matter and allowed the statute of limitations to run on the claim. Respondent repeatedly misrepresented the status of the matter to the client and misrepresented to the client that the matter was successfully settled. Respondent compounded her misconduct by preparing fraudulent settlement documents. ERs 1.3, 1.4(a), 1.7(b) and 8.4(c)	Dismissal and Diversion (MAP) View Report	One year Suspension and two years of Probation (MAP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(b) and (i) In mitigation: 9.32(a) (c) (d) (e) (g) and (i) Mental state: knowing Actual injury
<u>Gottesman, Frank</u> 05/24/06 DC No. 05-1489 SB-06-0043-D (By Judgment)	Respondent violated the terms of his conditional admission and subsequent probation contract. Respondent thereafter, failed to cooperate with the State Bar's investigation. Rules 53(c), (d), (e), (f) and (g)	Disbarment View Report	Three year Suspension View Report	No discretionary or <i>sua sponte</i> review View Order	Conduct deemed admitted by default. In aggravation: 9.22(c) (d) and (e) In mitigation: 9.32(a) (f) (c)
<u>Gwilliam, Dale R.</u> 02/27/06 DC No. 04-2072 SB-06-0025-D (By Judgment)	Respondent engaged in dishonesty by drafting and signing a false letter contained on the State Bar's letterhead. ERs 8.4(c) and (d)	Accept Agreement for Censure View Report	Accept Agreement for Censure View Report	No discretionary review View Order	In aggravation: 9.22(a) and (b) In mitigation: 9.32(d) (e) and (l) Mental State: knowing Potential injury to legal system
<u>Hampton, David M.</u> 01/04/06 DC Nos. 03-0918, et al. SB-05-0151-D	Respondent failed to supervise his staff thereby enabling a suspended lawyer, Charles Kirkland, to engage in the unauthorized practice of law. ERs 3.1, 3.4(c), 4.2, 5.3(a) (b) and (c), 5.5(b) and 8.4(d)	Accept Agreement for a 90 day Suspension and one year of Probation (LOMAP)	Accept Agreement for a 90 day Suspension and one year of Probation (LOMAP)	No discretionary or <i>sua sponte</i> review	In aggravation: 9.22(d) and large number of potential victims In mitigation: 9.32(a) (c) (e) (f) and (l) Mental State: knowing

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(By Judgment)		View Report	View Report	View Order	Actual injury
<u>Harris, John Duke</u> 10/23/06 DC Nos. 04-1246, et al. SB-06-0150-D (By Judgment)	Respondent failed to adhere to trust account rules and guidelines by failing to maintain separate ledgers or equivalents for client funds and to conduct monthly reconciliations. Respondent also violated his term of probation imposed in a prior discipline matter by failing to file complete quarterly reports, thereby, constituting a material breach of the probation contract. Rules 43(d) and 53(e)	Censure and one year of Probation (MAP and TAP) View Report	Censure and one year of Probation (MAP and TAP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) (c) (d) and (i) In mitigation: 9.32(a) and (c) Mental State: <i>Standards</i> not applied No actual or potential injury
<u>Hentoff, Nicholas S.</u> 10/11/06 DC Nos. 05-0132, et al. SB-06-0145-D (By Judgment)	Respondent engaged in a conflict of interest by selling his client's property. In a separate matter, Respondent failed to adequately communicate with his client and failed to timely refund an unearned retainer. ERs 1.4, 1.15, 1.16(d) and 1.8(a)	Agreement for Censure and one year of Probation (LOMAP) and Restitution View Report	Agreement for Censure and one year of Probation (LOMAP) and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) and (d) In mitigation: 9.32 (b) and (e) Mental State: negligent Injury or potential injury
<u>Hickle, Frederick C.</u> 05/24/06 DC Nos. 03-2107, et al. SB-06-0046-D (By Judgment)	Respondent failed to appear for trial and as a result the court ordered that the trial be bifurcated and not proceed as to Respondent's clients. Respondent also failed to appear for the hearing on the court's order to show cause why he was not at trial. The trial court ordered him to pay all attorneys' fees and costs should a second trial as to the bifurcated matter become necessary. The court later ordered Respondent to pay a \$7,500 deposit to the clerk of the court toward attorneys' fees and costs as well as a \$500 sanction. Respondent failed to pay the court-ordered	Accept Agreement for a four month Suspension and one year of probation (LOMAP) View Report	Accept Agreement for a four month Suspension and one year of probation (LOMAP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(c) and (i) In mitigation: 9.32(b) (k) (l) and (m) Mental State: negligent Potential injury

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	<p>deposit, and the court found him in contempt. Respondent also failed to timely pay the \$500 sanction. The court subsequently ordered Respondent to explain his failure to pay the \$500 sanction, but he failed to file the required explanation. The court then ordered Respondent to appear at another order to show cause hearing. Again, he failed to appear. As a result, the court found Respondent in contempt and ordered him to pay a \$300 sanction in addition to the \$500 sanction previously imposed. Respondent paid the \$800 total sanction after the court's second referral to the State Bar.</p> <p>ERs 8.4(d) and 3.4(c)</p>				
<p><u>Hoover, Stewart P.</u> 04/20/06 DC Nos. 04-2160, et al. SB-06-0027-D (By Judgment)</p>	<p>Respondent engaged in a pattern of neglect of clients by failing to diligently represent and communicate with clients. Respondent abandoned the practice of law after charging fees for services that were not performed or of little or no value to the client. Respondent also failed to cooperate with the State Bar's investigation.</p> <p>ERs 1.2, 1.3, 1.4, 1.15, 1.16, 3.2, 1.5(c), 3.2(c)(3), 8.1(b), 8.4(d) and Rules 53(d) and (f)</p>	<p>Disbarment and Restitution</p> <p>View Report</p>	<p>Disbarment and Restitution</p> <p>View Report</p>	<p>No discretionary or <i>sua sponte</i> review</p> <p>View Order</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(a) (c) (d) (h) and (i). In mitigation: None Mental State: knowing Serious injury</p>
<p><u>Johnson, Mark L.</u> 02/07/06 DC Nos. 03-0043, et al. SB-05-0165-D (By Judgment)</p>	<p>In multiple counts, Respondent failed to exercise due professional care in the maintenance of his client trust account, and maintain proper internal controls to adequately safeguard client funds, thereby resulting in trust account overdrafts. In addition, Respondent failed to represent clients with reasonable diligence and promptness and engaged on a pattern of neglect. Respondent also used an expired</p>	<p>Accept Agreement for a six month and one day Suspension (retroactive), Probation upon reinstatement, and Restitution</p> <p>View Report</p>	<p>Accept Agreement for a six month and one day Suspension (retroactive), Probation upon reinstatement, and Restitution</p> <p>View Report</p>	<p>No discretionary or <i>sua sponte</i> review</p> <p>View Order</p>	<p>In aggravation: 9.22(a) (c) (d) (e) In mitigation: 9.32(c) Mental State: knowing Actual and potential injury</p>

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	<p>notary stamp and failed to cooperate with the State Bar’s investigation of these matters. ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16(d), 3.2, 8.1(b), 8.4(d) and Rules 43(a) and (d), 44(a), 53(d) and (f)</p>				
<p><u>Jung, Robert J.</u> 08/23/06 DC Nos. 04-1688, et al. SB-06-0101-D (By Judgment)</p>	<p>Respondent misappropriated settlement funds in a personal injury matter. Respondent failed to initially deposit the settlement funds into a client trust account and failed to notify the client and a third party in interest upon receipt of the settlement. He also failed to communicate to the client in writing the scope of the representation and the basis or rate of the fee and expenses for which the client would be responsible. In a separate matter, Respondent failed to properly disburse funds from his client trust account in a civil litigation matter. ERs 1.5(b), 1.15, 8.4(c) and (d), and Rules 43 and 44</p>	<p>Accept Agreement for Six month Suspension and six months Probation (TAEPP, TAP and MAP) View Report</p>	<p>Accept Agreement for Six month Suspension and six months Probation (TAEPP, TAP and MAP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(b) (c) (d) and (i) In mitigation: 9.32(a) (c) (d) (e) (g) (i) and (l) Mental State: knowing and negligent Actual and potential injury</p>
<p><u>Kraeger, Dorothea P.</u> 03/14/06 DC Nos. 03-0342, et al. SB-05-0176-D (By Judgment)</p>	<p>In multiple counts, Respondent engaged in a pattern of neglect by failing to diligently represent or communicate with clients, and made misstatements to clients concerning the status of their cases. ERs 1.1, 1.2, 1.3, 1.4, 3.2, 5.3 and 8.4(d)</p>	<p>Accept Agreement for a four year Suspension (retroactive) and two years of probation (LOMAP/fee arbitration) View Report</p>	<p>Accept Agreement for a four year Suspension (retroactive) and two years of probation (LOMAP/fee arbitration) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(c) (d) (h) and (i) In mitigation: 9.32(a) (c) (d) (e) (g) and (l) Mental State: knowing Potentially serious injury</p>

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<p><u>Lacey, Henry B.</u> 09/26/06 DC No. 05-0273 SB-06-0129-D (By Judgment)</p>	<p>Respondent converted money entrusted to his care as an officer of the Flagstaff chapter of the Inn of Court on two separate occasions. He returned the money with interest one and a half years later after another officer of the Inn of Court contacted Respondent regarding the missing funds. ERs 8.4(c) and (d)</p>	<p>Six month Suspension View Report</p>	<p>Six month Suspension View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(b) and (f) In mitigation: 9.32(a) and (g) Mental State: knowing and intentionally Potential injury</p>
<p><u>Larson, Gregory A.</u> 06/16/06 DC No. 04-0775 SB-06-0099 (By Judgment)</p>	<p>Respondent failed to maintain timely and complete client trust account records or maintain backup records and failed to maintain proper internal controls within his office. Respondent failed to retain a duplicate deposit slip or the equivalent for each deposit that was sufficiently detailed to identify each item. Respondent also failed to make a monthly three-way reconciliation of the client ledgers, the account general ledger or register, and the account bank statement. Respondent further also failed to maintain a pooled interest-bearing client trust account ER 1.15 and Rules 43 and 44</p>	<p>Accept Agreement for Censure and six months of Probation (TAEPP) View Report</p>	<p>Accept Agreement for Censure and six months of Probation (TAEPP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(b) Mental State: negligent Potential injury</p>
<p><u>Lee, Carl D.</u> 01/10/06 DC No. 03-1798 SB-06-0001-D (By Judgment)</p>	<p>Respondent failed to observe the rules governing the treatment of client funds by attorneys. Respondent failed to segregate client funds from his own funds, failed to maintain the required client trust account records, failed to exercise professional due care, failed to safeguard client funds, failed to act with reasonable diligence and promptness in representing clients, failed to notify the appropriate persons upon receipt of funds in which they had an interest and failed to respond to lawful demands for information from a disciplinary authority.</p>	<p>Accept Agreement Censure and one year of Probation (LOMAP/TAEPP) View Report</p>	<p>Accept Agreement Censure and one year of Probation (LOMAP/TAEPP) View Report</p>	<p>No discretionary review View Order</p>	<p>In aggravation: 9.22(c) In mitigation: 9.32(a) (b) (c)and (l) Mental State: negligent and knowing Potential injury</p>

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	ERs 1.3, 1.15(a) and (d), 8.1(b) and Rules 43, 44 and 53(f)				
<p><u>Lipartito, David E.</u> 11/27/06 DC No. 05-0695 SB-06-0164-D (By Judgment)</p>	<p>Respondent failed to expedite litigation on behalf of his client, failed to timely respond to motions to dismiss and orders of the court, and failed to withdraw from the representation when he was unable to locate his clients. ERs 1.3, 1.16, 3.2 and 8.4(d)</p>	<p>Accept Agreement for Censure and one year of Probation (EEP) View Report</p>	<p>Accept Agreement for Censure and one year of Probation (EEP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) (b) and (e) Mental State: negligent No actual or potential injury</p>
<p><u>Lynch, Michael L.</u> 05/24/06 DC Nos. 04-1790 et al. SB-06-0042-D (By Judgment)</p>	<p>Respondent practiced law while summarily suspended for failing to comply with the Supreme Court’s mandatory continuing legal education requirements. While suspended, Respondent appeared as attorney of record in at least six cases, filing several motions and pleadings with the Maricopa County Superior Court. Additionally, Respondent continued to represent clients in 35 other cases during his suspension. ERs 5.5, 8.4(a) and (d), and Rule 31(b)</p>	<p>Accept Agreement for a 90 day Suspension and one year of Probation (LOMAP) View Report</p>	<p>Accept Agreement for a 90 day Suspension and one year of Probation (LOMAP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(d) and (i) In mitigation: 9.32(a) (d) (e) and (l) Mental State: knowing Injury or potential</p>
<p><u>Martin, Rex L.</u> 12/28/06 DC No. 05-1928 SB-06-0174-D (By Judgment)</p>	<p>Respondent failed to keep his clients informed and failed to promptly return his clients’ advance fee. Respondent further failed to respond to the State Bar’s investigation ERs 1.3, 1.4, 1.5(b), 1.15, 1.16, 8.1(b) and Rules 53(d) and 53(f)</p>	<p>Accept Agreement for Censure and one year of Probation (MAP) View Report</p>	<p>Accept Agreement for Censure and two years of Probation (MAP) as provided in the consent documents View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) (c) (l) and (m) Mental State: negligent Actual injury</p>
<p><u>Masters, Kathleen D.</u> 02/07/06 DC Nos. 04-0293, et al. SB-05-0163-D</p>	<p>After being retained to have the client appointed as a personal representative to an estate, Respondent failed to file the necessary paperwork. Respondent failed to competently and diligently represent the</p>	<p>Accept Agreement for a six month and one day Suspension and two years of Probation</p>	<p>Accept Agreement for a six month and one day Suspension and two years of Probation</p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) and (e) Mental State: knew or</p>

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(By Judgment)	client, failed to communicate with the client, failed to return client property and to properly terminate the representation. ERs 1.1, 1.2(a), 1.3, 1.4(a)(3), 1.4(b), 1.15(d) and 1.16(a)(2)	(LOMAP/MAP) View Report	(LOMAP/MAP) View Report	 View Order	should have known Potential injury
<u>Masters, Kathleen D.</u> 05/24/06 DC No. 05-0341 SB-06-0033-D (By Judgment)	Respondent failed to file documents with the court as promised, failed to communicate with her client and failed to refund unearned fees paid by client for over seven months and virtually abandoned the client. ERs 1.1, 1.2(a), 1.3, 1.4(a)(3), 1.4(b), 1.15(d) and 1.16(a)(2)	Accept Agreement for a six month and one day Suspension, two years of Probation (LOMAP and MAP) View Report	Accept Agreement for a six month and one day Suspension, two years of Probation (LOMAP and MAP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) and (e) Mental State: knowing Potential injury
<u>McFadden, Kevin P.</u> 08/04/06 DC No. 04-1904 SB-06-0119-D (By Judgment)	In Count One, Respondent while handling his step-father's personal injury matter, held settlement funds in his personal bank account. In Count Two, Respondent raised good faith but non-meritorious claims in the context of his personal bankruptcy ERs 1.15, 3.1 and Rules 43 and 44	Accept Agreement for Censure View Report	Accept Agreement for Censure View Report	No discretionary review View Order	In aggravation: 9.22(i) In mitigation 9.32(a) (b) (e) and (g) Mental State: negligent Potential injury
<u>Menkveld, Paul G.</u> 09/26/06 DC Nos. 04-1113, et al. SB-06-0120-D (By Judgment)	Respondent abandoned clients and his law practice. Respondent further misappropriated funds from his client's estate and failed to repay the judgment as ordered. Respondent also failed to respond and cooperate with the State Bar's investigation. ERs 1.2(a), 1.3, 1.4, 1.5, 1.5(a), 3.4(c), 1.15, 1.16(d), 3.2, 8.1(b), 8.4(d), and Rules 32(c)(3), 43, 43(d), 44 and 44(a) and 44(c), 53(d) and 53(f)	Disbarment and Restitution View Report	Disbarment and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	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 and serious injury
<u>Miranda, Jesse R.</u> 05/24/06	Respondent failed to diligently represent clients; charged an unreasonable fee; failed to return unearned fees and other client	Disbarment and Restitution	Disbarment and Restitution	No discretionary or <i>sua sponte</i> review	Conduct deemed admitted by default. In aggravation:

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DC Nos. 04-1384, et al. SB-06-0044-D (By Judgment)	property; solicited to have fraudulent loan documents prepared; engaged in self-dealing ; engaged in a conflict of interest by entering into a business arrangement with a client; failed to satisfy a medical lien; failed to protect the client’s rights upon termination of representation; wrote a check from his trust account to pay prior disciplinary costs; and failed to respond and cooperate with the State Bar’s investigations ERs 1.7(a), 1.8, 1.15, 8.1(b), 8.4(c), 8.4(d) and Rules 43, 44, 53(d) and 53(f)	View Report	View Report	View Order	9.22(a) (b) (c) (d) (h) (g) (i) and (j) In mitigation: None Mental State: knowing if not intentional Actual and serious injury
<u>Morrison, John G.</u> 06/27/06 DC Nos. 04-0392, et al. SB-06-0068-D (By Judgment)	In Count One, Respondent engaged in a prohibited conflict of interest by simultaneously representing two clients with direct adverse interests. Respondent continued to represent the client after another of Respondent’s clients became a material witness. Respondent thereafter failed to disclose information as to the whereabouts of the witness in violation of discovery rules. In Count Two, Respondent missed a deadline to remove a personal injury case from the inactive calendar and the case was dismissed. Respondent thereafter, misrepresented the status of the matter to the client for approximately two years and manufactured a settlement. Respondent prepared a fake accounting, a fake release, and ultimately issued a check from his private funds to pay the client and to conceal that the case had been dismissed. ERs 1.3, 1.4, 1.7, 3.2, 3.3, 3.4, 8.4(c) and (d)	60-day Suspension and one year of Probation (CLE related to ethics), Restitution View Report	One year Suspension and Probation (with length and terms to be determined upon reinstatement) and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(b) (d) and (i) In mitigation: 9.32 (c) (d) (e) (g) and (l) Mental State: knowing Actual injury

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<p><u>Nelson, Barry G.</u> 03/20/06 DC No. 04-1761 SB-06-0032-D (By Judgment)</p>	<p>Without authorization or lawful entitlement Respondent used the notary seal of his legal assistant and signed the assistant's name to acknowledge his clients' signatures on a pre-nuptial agreement. Respondent's conduct caused the parties to re-affirm the agreement to assure it was legally binding. ER 8.4(c)</p>	<p>Accept Agreement for Censure and Restitution View Report</p>	<p>Accept Agreement for Censure and Restitution View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) and (e) Mental State: knowing Actual injury</p>
<p><u>Neuheisel, Richard G.</u> 12/18/06 DC No. 05-0107 (By Order)</p>	<p>Respondent failed to safeguard the property of third persons in his possession by failing to deposit, intact, into his client's trust account, funds held for the benefit of others prior to disbursing them and failed to properly negotiate the check made payable jointly to his client and the opposing party. ER 1.15 and Rules 43 and 44</p>	<p>Accept Agreement for Informal Reprimand and one year of Probation (EEP) View Report View Order</p>	<p>N/A</p>	<p>N/A</p>	<p>In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) and (e) Mental State: negligent Potential injury</p>
<p><u>Nomura, Edmund Y.</u> 03/14/06 DC Nos. 03-0944, et al. SB-06-0003-D (By Judgment)</p>	<p>Respondent failed to comply with bankruptcy requirements and engaged in a conflict of interest by undertaking a joint representation without discussing or disclosing the conflict with the clients. Respondent failed to properly maintain his trust account and converted client funds for personal use. Respondent also charged unreasonable fees and failed to respond to the State Bar's investigation. ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.7, 1.15, 8.1 and Rules 43, 44, 53(f)</p>	<p>Two years Suspension, two years of Probation (LOMAP/PM/TAEPP), maintenance of malpractice insurance), and Restitution View Report</p>	<p>Three years Suspension, two years of Probation (LOMAP/PM/TAEPP), maintenance of malpractice insurance, and Restitution. View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(a) (b) (c) (d) (g) (i) (j) In mitigation: 9.32 (c) (superficial evidence; no causation established therefore no significant weight given) Mental State: knew or should have known Actual injury</p>
<p><u>Nomura, Edmund Y.</u> 05/24/06 DC Nos. 04-1073, et al. SB-06-0047-D</p>	<p>In multiple counts Respondent sent billing statements to clients erroneously informing them that their accounts were delinquent. The delinquent billing statements were sent two to six years after the representation had</p>	<p>Accept Agreement for a three year Suspension, two years of Probation with terms and</p>	<p>Accept Agreement for a three year Suspension, two years of Probation with terms and</p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>In aggravation: 9.22(a) (b) (c) (d) and (h) In mitigation: None Mental State: knowing</p>

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(By Judgment)	ended. In a bankruptcy matter, Respondent failed to respond to requests for information from the trustee and an order to compel from the court. He repeatedly failed to inform his clients of the status of their case. In a separate matter, Respondent failed to respond to motions for summary judgment in a civil litigation matter and repeatedly failed to inform his clients of the status of their case. In a bankruptcy matter, Respondent failed to timely ensure that the client's mortgage checks were either returned to the client or to the mortgage company. ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.1, 4.2, 4.4, 5.3, 8.1(b), 8.4(d) and Rules 53(d) and (f)	conditions to be determined at the time of reinstatement, and Restitution View Report	conditions to be determined at the time of reinstatement, and Restitution View Report	View Order	Actual and potential injury
<u>Odneal, Sara Jane</u> 11/29/06 DC No. 03-1592 SB-06-0146-D (By Judgment)	Respondent failed to timely comply with court orders, failed to attend two court hearings, and failed to properly appear for a client in a domestic-relation case. ERs 3.1, 3.2, 3.3(a)(1) and 3.4(c), and Rules 51(e) and (k)	Accept Agreement for 30-day Suspension and two years of Probation (MAP and LOMAP including a practice monitor View Report	Accept Agreement for a 30-day Suspension and two years of Probation (MAP and LOMAP including a practice monitor) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) and (k) Mental State: Negligent Actual injury
<u>O'Quinn, Kathy M.</u> 09/26/06 DC Nos. 03-1645, et al. SB-06-0122-D (By Judgment)	In Count One, Respondent failed to adhere to trust account rules and guidelines and was placed on probation. Respondent thereafter, failed to comply with the terms of the probation. In Count Two, Respondent failed to pay restitution, failed to respond to LOMAP regarding probation and failed to find a practice monitor in a prior disciplinary matter. In Count Three,	Accept Agreement for a six month and one day Suspension and two years of Probation (MAP) and Restitution	Accept Agreement for a six month and one day Suspension and two years of Probation (MAP as a condition of reinstatement) and Restitution	No discretionary or <i>sua sponte</i> review	In aggravation: 9.22(a) and (e) In mitigation: 9.32(c) (i) and (l) Mental State: knowing or should have known Actual injury

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	<p>Respondent failed to return documents in her possession to the client. In Count Four, Respondent filed a frivolous answer and counterclaim, and failed to appear at a pre-trial conference, a deposition, the trial and several show-cause hearings. In Count Five, Respondent failed to timely file the complaint and affidavits of service, missed agreed-upon meetings with the clients, and failed to adequately communicate with clients. Respondent further failed to appear for an oral argument and a show-cause hearing and failed to respond to the State Bar during its investigation.</p> <p>ERs 1.2(a), 1.3, 1.4, 1.4(a) and (b), 1.15(a), 3.1, 3.2, 8.1(b), 8.4(d) and Rules 43(a), 43(d), 44(b) and 53(e)</p>	<p>View Report</p>	<p>View Report</p>	<p>View Order</p>	
<p><u>Peskind, Elliot J.</u> 10/13/06 DC No. 03-1564 SB-06-0148-D (By Judgment)</p>	<p>Respondent failed to adhere to trust account rules and guidelines and failed to safeguard funds in which a third party had an interest. In addition, Respondent commingled funds, failed to provide an accounting to his client upon request, and failed to fully cooperate with the State Bar’s investigation.</p> <p>ERs 1.15, 1.16, 8.1(b) and Rules 43, 44, 53(d) and 53(f)</p>	<p>Accept Agreement for Censure, one year of Probation (TAEPP) and Restitution</p> <p>View Report</p>	<p>Accept Agreement for Censure, one year of Probation (TAEPP) and Restitution</p> <p>View Report</p>	<p>No discretionary or <i>sua sponte</i> review</p> <p>View Order</p>	<p>In aggravation: 9.22(h) (i) and (j) In mitigation: 9.32(a) Mental State: negligent Potential and actual injury</p>
<p><u>Robbins, Susan M.</u> 02/27/06 DC No. 04-2019 SB-06-0026-D (By Judgment)</p>	<p>Respondent failed to take timely and appropriate remedial actions to correct a misleading statement made to the Court in a motion to extend time for service of her client’s complaint.</p> <p>ERs 3.3(a)(1) and 8.4(d)</p>	<p>Accept Agreement for Censure</p> <p>View Report</p>	<p>Accept Agreement for Censure</p> <p>View Report</p>	<p>No discretionary review</p> <p>View Order</p>	<p>In aggravation: 9.22(i) In mitigation: 9.32(a) (b) (e) (g) (k) and (l) Mental State: knowing Actual injury to legal system</p>

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<p><u>Rolph, John Daniel</u> 03/14/06 DC Nos. 04-0039, et al. SB-06-0011-D (By Judgment)</p>	<p>Respondent was conditionally admitted to practice law subject to the terms of a probation contract due to financial irresponsibility. Respondent thereafter, failed to comply with the terms of his probation contract. Respondent also failed to adequately communicate with clients and failed appear for a scheduled deposition. Respondent also failed to respond to the State Bar’s inquiries. ERs 1.3, 1.4, 8.1(b) and Rule 53(f)</p>	<p>Accept Agreement for 90 day Suspension and two years of Probation (LOMAP and MAP) View Report</p>	<p>Accept Agreement for 90 day Suspension and two years of Probation (LOMAP and MAP) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(a) (c) (d) and (e) In mitigation: 9.32(b) (f) and (l) Mental State: knowing Actual injury</p>
<p><u>Ryan, John T.</u> 03/14/06 DC No. 03-2224 SB-06-0004-D (By Judgment)</p>	<p>Respondent failed to exercise due professional care in the maintenance of his trust account. Respondent dealt improperly with client property. Respondent commingled personal funds with client funds and disbursed funds from the trust account knowing there were insufficient funds. Respondent also applied a client’s advance payment for an appeal to the client’s unpaid bill without consent from the client. ERs 1.2, 1.15 and Rules 43 and 44</p>	<p>Agreement for a 60 day Suspension and two years of probation (LOMAP/PM) View Report</p>	<p>Agreement for a 60 day Suspension and two years of probation (LOMAP/PM) View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(a) (c) and (i) In mitigation: 9.32(d) (e) (g) and (l) Mental State: knows or should have known Potential injury Prior discipline involved similar misconduct</p>
<p><u>Saienni, Joe</u> 10/27/06 DC No. 04-1581 SB-06-0151-D (By Judgment)</p>	<p>Respondent engaged in a conflict of interest by representing the defendant, victim and potential witness in a criminal matter. ER 1.7</p>	<p>Accept Agreement for Censure View Report</p>	<p>Accept Agreement for Censure View Report</p>	<p>No discretionary review View Order</p>	<p>In aggravation: None In mitigation: 9.32(a) (b) and (e) Mental State: negligent No actual injury</p>
<p><u>Shaw, Alan B.</u> 01/04/06 DC Nos. 03-0263, et al. SB-05-0152-D (By Judgment)</p>	<p>Respondent knowingly neglected multiple client matters which constituted a pattern of neglect. Respondent failed to complete his duties as a court appointed arbitrator and failed to comply with the terms of his Order of Diversion. Respondent also failed to cooperate with the State Bar’s investigation</p>	<p>Accept Agreement for a 90 day Suspension, two years of Probation (LOMAP/MAP) and Restitution</p>	<p>Accept Agreement for a 90 day Suspension, two years of Probation (LOMAP/MAP) and Restitution</p>	<p>No discretionary or <i>sua sponte</i> review</p>	<p>In aggravation: 9.22(a) (d) (h) and (i) In mitigation: 9.32(b) (e) (k) and (l) Mental State: knowing Actual injury</p>

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(JANUARY 1 – DECEMBER 31, 2006)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
	of these matters. ERs 1.2, 1.3, 1.4, 1.16, 3.2, 3.4, 8.4(d) and Rules 53(c) (d) and (f)	View Report	View Report	View Order	
<u>Shorr, Margo A.</u> 11/21/06 DC No. 04-1095 SB-06-0161-D (By Judgment)	Respondent failed to communicate with clients and failed to adhere to trust account rules and guidelines. Respondent commingled funds, caused overdrafts, failed to maintain complete client ledgers and failed to maintain an audit trail. ERs 1.3, 1.4, 1.15, 1.16 and Rules 43 and 44	Accept Agreement for Censure and one year of Probation (TAEPP and/or TAP) View Report	Accept Agreement for Censure and one year of Probation (TAEPP and/or TAP) View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(e) and (i) In mitigation: 9.32(a) Mental State: negligent Potential injury
<u>Sodikoff, Arnold M.</u> 09/26/06 DC No. 04-1979 SB-06-0125-D (By Judgment)	Respondent was convicted of direct and indirect criminal contempt, Class 2 misdemeanors for striking opposing counsel outside the courtroom. ERs 3.5, 8.4(b), 8.4(d)	90-day Suspension, two years of Probation (MAP), Practice Monitor, Professionalism Course, six hours of CLE in Ethics View Report	30-day Suspension, two years of Probation (MAP), Practice Monitor, Professionalism Course, six hours of CLE in Ethics View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) (c) and (i) In mitigation: 9.32(c) (d) (e) (l) and (k) Mental State: knowing Actual injury
<u>Son, David</u> 02/07/06 DC Nos. 04-1345, et al. SB-05-0173-D (By Judgment)	Respondent abandoned his law practice and engaged in a pattern of neglect with respect to client matters. Respondent failed to perform any contracted services for clients after accepting fees. A conservator was appointed to handle Respondent's client files and trust account. Respondent also failed to cooperate with the State Bar's investigation. ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1(b), and Rules 53(d) and (f)	Disbarment and Restitution View Report	Disbarment and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	Conduct deemed admitted by default. In aggravation: 9.22(c) (d) and (e) In mitigation: 9.32(a) Mental State: knowing Actual injury
<u>Spencer, Roger K.</u> 10/23/06 DC No. 04-1931	Respondent engaged in a prolonged pattern of misconduct by making improper transfers and falsely billing numerous clients for costs and fees not associated with their	Censure and two years of Probation (MAP)	One year Suspension and two years of Probation including a practice monitor,	No discretionary or <i>sua sponte</i> review	In aggravation: 9.22(b) (c) (d) and (i) In mitigation: 9.32(a) (c) (e), (i) and (l)

**SUPREME COURT OF ARIZONA
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CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
SB-06-0123-D (By Judgment)	cases. ERs 1.4, 1.5, 4.1 and 8.4(c)	View Report	with additional terms to be determined upon reinstatement View Report	View Order	Mental State: knowing Actual injury
<u>Sterman, Susan V.</u> 12/28/06 DC No. 05-1326 SB-06-0173-D (By Judgment)	Respondent engaged in the unauthorized practice of law when she represented to the child support division of Tulane County, California that she was her husband's attorney and signed a stipulation indicating that she was the "Attorney for Father". Respondent was not licensed to practice law in California. ER 5.5	Accept Agreement for Censure View Report	Accept Agreement for Censure View Report	No discretionary review View Order	In aggravation: None In mitigation: 9.32(a) and (e) Mental State: negligent Injury or potential injury
<u>Stevens, Lawrence B.</u> 11/28/06 DC Nos. 04-1268 et. al SB-06-0157-D (By Judgment)	Over a three year period, Respondent failed to complete work for which he was retained. Respondent also failed to adequately communicate with his client. ERs 1.2, 1.3, 1.4 and 8.4(d)	Accept Agreement for Censure, two years of Probation (LOMAP and MAP), and Restitution View Report	Accept Agreement for Censure, two years of Probation (LOMAP and MAP), and Restitution View Report	No discretionary or <i>sua sponte</i> review View Order	In aggravation: 9.22(a) and (i) In mitigation: 9.32(b) (c) (e) and (g) Mental State: negligent Injury or potential injury
<u>Wagner, Cindy L.</u> 02/07/06 DC Nos. 04-1678, et al. SB-05-0175-D (By Judgment)	Respondent engaged in the unauthorized practice of law while summarily suspended for failure to comply with Rule 45, Mandatory Continuing Legal Education requirements. Respondent appeared in court representing a father in a child-dependency case and thereafter, failed to obey a court order and abandoned her law practice. Respondent also failed to cooperate with the State Bar's investigation. ERs 1.4, 3.2, 3.4, 5.5, 8.1, 8.4(d) and Rule 53(c), (d) and (f)	Disbarment View Report	Disbarment View Report	No discretionary or <i>sua sponte</i> review View Order	Conduct deemed admitted by default. In aggravation: 9.22(c) (e) (g) (h) (i) and (j) In mitigation: 9.32(k) Mental State: knowing Injury or potential injury

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(JANUARY 1 – DECEMBER 31, 2006)**

CASE NAME DATE/NUMBER	VIOLATIONS DESCRIPTION DISCIPLINARY RULES	HEARING OFFICER RECOMMEND	DISCIPLINARY COMMISSION RECOMMEND	SUPREME COURT SANCTION	COMMENTS
<p><u>Witt, Lise R.</u> 09/26/06 DC No. 04-1106 SB-06-0131-D (By Judgment)</p>	<p>Respondent was convicted of a Class D felony for violating Title 18 U.S.C § 1347, Health Care Fraud. Respondent engaged in fraudulent conduct over a four-year period involving the theft of public monies by fraudulently billing Medicare for services not provided. ERs 8.4(b), 8.4(c) and Rule 53(h)</p>	<p>Two year and six month Suspension (retroactive) and two years of Probation upon reinstatement with terms and conditions to be determined upon reinstatement View Report</p>	<p>Disbarment View Report</p>	<p>No discretionary or <i>sua sponte</i> review View Order</p>	<p>In aggravation: 9.22(b) and (c) In mitigation: 9.32(a) (e) (g) (k) and (l) Mental State: intentional Actual injury</p>

Last Updated on: 1/15/2008