

**BEFORE THE PRESIDING DISCIPLINARY  
JUDGE**

IN THE MATTER OF A MEMBER OF  
THE STATE BAR OF ARIZONA,

**JAMES N. TILSON,  
Bar No. 020041**

Respondent.

**No. PDJ-2015-9106**

**JUDGMENT OF DISBARMENT**

[State Bar Nos. 14-2838, 14-2949,  
14-3155, 14-3521, 14-3536, 14-3558,  
15-0084, 15-0899, and 15-0914]

**FILED NOVEMBER 10, 2015**

Pursuant to Rule 57, Ariz. R. Sup. Ct., the Presiding Disciplinary Judge has considered Respondent's Consent to Disbarment filed November 5, 2015. Accordingly:

**IT IS HEREBY ORDERED** accepting the consent to disbarment. Respondent, **JAMES N. TILSON, Bar No. 020041**, is hereby disbarred from the State Bar of Arizona and his name is hereby stricken from the roll of lawyers effective immediately.

**IT IS FURTHER ORDERED** Mr. Tilson shall pay restitution to the following people in the following respective amounts, within thirty (30) days of the date of this Judgment of Disbarment:

1. Maria Del Carmen Jimenez and Agustin Espinoza, \$11,400.00;
2. Irene Duarte, \$7,100.00;
3. Jorge Villa, \$2,500.00;
4. Robert Meadows, \$5,000.00;
5. Gibert Becerra, \$12,000.00;
6. Gustavo and Mauricia Andrade, \$8,000.00;
7. Andres Perez, \$8,000.00;
8. Maria Lourdes Urzua, \$2,500.00; and

9. Jose Alfredo Castro, \$6,500.00.

Mr. Tilson is no longer entitled to the rights and privileges of a lawyer but remains subject to the jurisdiction of the court. Mr. Tilson shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED**, no further disciplinary action shall be taken in reference to the matters that are the subject of the charges upon which the consent to disbarment and this judgment of disbarment are based.

**IT IS FURTHER ORDERED**, Mr. Tilson shall pay the costs and expenses of the State Bar of Arizona in the amount of \$2,160.00 within thirty (30) days of the date of this Judgment of Disbarment, and if costs are not paid within the 30 days, interest will begin to accrue at the legal rate.

**DATED** this 10th day of November, 2015.

*William J. O'Neil*

---

**William J. O'Neil, Presiding Disciplinary Judge**

Copies of the foregoing mailed/emailed  
this 10th day of November, 2015, to:

James N. Tilson  
132 East Union Street  
Manti, Utah 84642  
Email: jamestilson66@gmail.com  
Respondent

David L. Sandweiss, Bar No. 005501  
Senior Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: LRO@staff.azbar.org

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 North 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266

by: JAlbright

David L. Sandweiss, Bar No. 005501  
Senior Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602)340-7250  
Email: LRO@staff.azbar.org

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A SUSPENDED  
MEMBER OF THE STATE BAR OF  
ARIZONA,**

**JAMES N. TILSON,  
Bar No. 020041,**

Respondent.

**PDJ 2015-9106**

**CONSENT TO  
DISBARMENT**

State Bar Nos. 14-2838, 14-2949,  
14-3155, 14-3521, 14-3536, 14-3558,  
15-0084, 15-0899, and 15-0914

I, James N. Tilson, residing at 132 East Union Street, Manti, Utah 84642, voluntarily consent to disbarment as a member of the State Bar of Arizona and consent to the removal of my name from the roster of those permitted to practice before this court, and from the roster of the State Bar of Arizona.

I acknowledge that a formal complaint has been filed against me. I have read the complaint, and the charges there made against me. I further acknowledge that I do not desire to contest or defend the charges, but wish to consent to disbarment. I have been advised of and have had an opportunity to exercise my right to be represented in this matter by a lawyer. I consent to disbarment freely and voluntarily and not under coercion or intimidation. I am aware of the rules of the Supreme Court with respect to discipline, disability, resignation and reinstatement, and I understand that any future application by me for admission or reinstatement

as a member of the State Bar of Arizona will be treated as an application by a member who has been disbarred for professional misconduct, as set forth in the complaint filed against me. The misconduct of which I am accused is described in the complaint bearing the number referenced above, a copy of which is attached hereto as Exhibit "A."

I further agree to pay restitution to the following people in the following respective amounts, within thirty (30) days following the date of service of the Judgment of Disbarment:

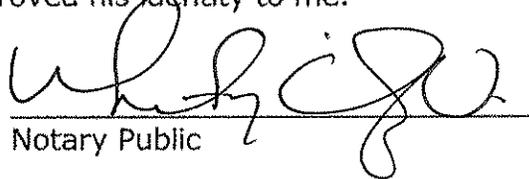
1. Maria Del Carmen Jimenez and Agustin Espinoza, \$11,400.00;
2. Irene Duarte, \$7,100.00;
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4. Robert Meadows, \$5,000.00;
5. Gibert Becerra, \$12,000.00;
6. Gustavo and Mauricia Andrade, \$8,000.00;
7. Andres Perez, \$8,000.00;
8. Maria Lourdes Urzua, \$2,500.00; and
9. Jose Alfredo Castro, \$6,500.00.

The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit "B." I agree to pay the State Bar's costs and expenses within thirty (30) days following the date of service of the Judgment of Disbarment and if costs are not paid within the 30 days, interest will begin to accrue at the legal rate. A proposed form of Judgment of Disbarment is attached hereto as Exhibit "C."

DONE AT Yuma, Arizona, on Nov. 2, 2015.

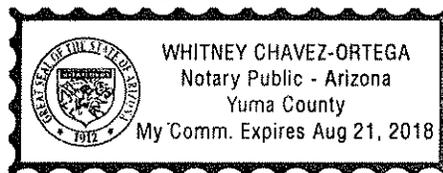
  
James N. Tilson  
Respondent

**SUBSCRIBED AND SWORN TO** before me this 2<sup>nd</sup> day of November,  
2015, by James N. Tilson, who satisfactorily proved his identity to me.

  
Notary Public

My Commission expires:

Aug. 21<sup>st</sup> 2018



Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 5<sup>th</sup> day of November, 2015.

Copy of the foregoing emailed  
this 5<sup>th</sup> day of November, 2015, to:  
Hon. William J. O'Neil  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
Email: officepdj@courts.az.gov

Copies of the foregoing mailed/emailed  
this 5<sup>th</sup> day of November, 2015, to:

James N. Tilson  
132 East Union Street  
Manti, Utah 84642  
Email: jamestilson66@gmail.com  
Respondent

Copy of the foregoing hand-delivered  
this 5<sup>th</sup> day of November, 2015, to:

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 North 24th Street, Suite 100  
Phoenix, Arizona 85016-6266

by: Jackie Overlander

# EXHIBIT "A"

OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA  
OCT 02 2015  
FILED

David L. Sandweiss, Bar No. 005501  
Senior Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602)340-7250  
Email: LRO@staff.azbar.org

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A  
SUSPENDED MEMBER OF  
THE STATE BAR OF ARIZONA,**

**JAMES N. TILSON,  
Bar No. 020041,**

Respondent.

PDJ 2015-9106

**COMPLAINT**

State Bar Nos. 14-2838, 14-2949, 14-3155, 14-3521, 14-3536, 14-3558, 15-0084, 15-0899, and 15-0914

For its complaint against Respondent the State Bar of Arizona alleges:

**GENERAL ALLEGATIONS**

1. At all times relevant, Respondent was a lawyer licensed to practice law in the state of Arizona having been first admitted to practice in Arizona on October 25, 1999.
2. By a Final Judgment and Order dated October 17, 2014, in an 11-count case (PDJ 2014-9047) bearing the lead case number 13-1268, Respondent was suspended from practicing law in Arizona for three years.

**COUNT ONE of NINE (File No. 14-2838/Jimenez)**

3. Complainant Maria Del Carmen Jimenez and her husband, Agustín Espinoza, retained Respondent in approximately February 2013 to prevent their home foreclosure and to negotiate a loan modification.

4. Complainant's agreement with Respondent called for an "Initial Case Start-up Fee" of \$1,200 and a "Monthly Litigation Fee" of \$600. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

5. Complainant paid \$1,200 plus monthly payments of \$600 through July 2014, for a total of \$11,400.

6. Complainant stopped paying when she realized that Respondent had done nothing for her.

7. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

8. For long stretches of time Respondent failed to respond to Complainant's requests for status updates.

9. When Respondent did respond it usually was to get his monthly payment.

10. In May or June 2014 Respondent told Mr. Espinoza that everything was fine and that he would contact him and Complainant later.

11. Respondent showed Mr. Espinoza fake suit documents to create the appearance that he filed suit and was actively litigating their legal matter.

12. Respondent failed to respond to the State Bar's letters dated April 22 and May 11, 2015, seeking information from him as part of its screening investigation.

13. Respondent also failed to properly terminate the representation and notify Complainant of his October 2014 suspension.

14. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, and 8.1; Rule 54, Ariz. R. Sup. Ct.; and Rule 72, Ariz. R. Sup. Ct.

**COUNT TWO of NINE (File No. 14-2949/Duarte)**

15. Complainant Irene Duarte hired Respondent in April 2013 to prevent her home foreclosure.

16. Complainant's agreement with Respondent called for an "Initial Case Start-up Fee" of \$800 and a "Monthly Litigation Fee" of \$450. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

17. Respondent charged and Complainant paid \$800 plus monthly payments of \$450 through July 2014, for a total of \$7,100.

18. Complainant stopped paying when her house was sold in foreclosure.

19. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

20. Respondent waited seven months (November 2013) to file suit for Complainant against Countrywide Home Loans, Mortgage Electronic Registration System ("MERS"), Fidelity National Title Ins. Co., Recontrust Co., Bank of America, and Federal National Mortgage Assoc. ("Fannie Mae").

21. A mortgage compliance investigator executed the verification in September 2013.

22. Respondent waited until February 2014 to file a motion for an OSC seeking a preliminary injunction.

23. Respondent notified only Fannie Mae of the suit, and did not serve any defendant.

24. The complaint included causes of action based on the "show me the note" theory that had long been rejected by federal and state trial and appellate courts in Arizona and elsewhere.

25. The court heard the OSC on March 10, 2014, and ordered Respondent (and Complainant) to serve the defendants by March 28.

26. The court continued the OSC to April 15.

27. Respondent still did not serve the remaining defendants so on April 15 Fannie Mae's lawyer moved to dismiss the suit.

28. The court again ordered Respondent and Complainant to serve the defendants "should the Plaintiff wish to proceed in this matter."

29. Respondent successfully obtained TROs blocking the trustee's sale of Complainant's home and her eviction from it without actually serving any defendant with the suit.

30. In June 2014, MERS and Fannie Mae moved to dismiss for lack of jurisdiction owing to insufficiency of service (which courts treat as a motion to dismiss for lack of jurisdiction over the person).

31. In July, Respondent filed another request for a TRO to block a trustee's sale.

32. The court denied that request and the sale proceeded on July 3, 2014.

33. Respondent did not file a response to the motion to dismiss so the court dismissed the case with prejudice in August.

34. For long stretches of time, Respondent failed to respond to Complainant's requests for status updates.

35. When Respondent did respond it usually was to postpone a conversation or meeting with her.

36. Respondent failed to respond to the State Bar's letters dated October 28, 2014 and December 2, 2014, seeking information from him as part of its screening investigation.

37. Respondent did not inform Complainant, opposing counsel, the opposing parties, or the court, of his October 2014 suspension.

38. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.7, 3.1, 3.2, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT THREE of NINE (File No. 14-3155/Villa)**

39. In June 2014, Complainant Jorge Villa hired Respondent to represent him in a divorce case.

40. The written fee agreement called for a \$4,000 flat fee, with Complainant to pay \$2,000 in advance and \$500/mo. thereafter.

41. Complainant paid the \$2,000 advance.

42. Respondent's job was to file a petition for dissolution.

43. Complainant met with Respondent and filled out forms but Respondent had not filed the petition by July 25, 2014. That day he asked Complainant for a \$500 monthly payment and Complainant paid it.

44. Thereafter, Respondent failed to respond to Complainant's efforts to communicate by email and telephone.

45. On October 17, 2014, Complainant heard from his wife's attorney.

46. Wife's attorney filed a petition for dissolution on behalf of Complainant's wife and told Complainant to contact him because Respondent was no longer able to practice law.

47. Complainant contacted the State Bar and learned that Respondent was suspended effective that day.

48. Respondent's suspension was the result of an eleven-count consent that had been in the making for several months.

49. Respondent had not told Complainant of his discipline problems or that he likely would be suspended at some point during the representation and unable to assist Complainant.

50. On October 21, 2014, Complainant sent an email to Respondent asking for a \$2,500 refund.

51. A State Bar intake counsel intervened and received a message from Respondent on October 23, 2014, that he would contact Complainant and furnish an accounting and, if appropriate, a refund.

52. Complainant has not heard from Respondent.

53. Respondent did not respond to the bar's screening investigation letters and emails dated April 15 and May 11, 2015.

54. Respondent did not inform Complainant, opposing counsel, the opposing parties, or the court, of his October 2014 suspension.

55. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT FOUR of NINE (File No. 14-3521/Meadows)**

56. In August 2014 Complainant Robert Meadows (who lives in Ohio) hired Respondent to represent him in a probate matter.

57. The written fee agreement called for a \$5,000 flat fee, which Complainant paid.

58. Respondent filed a notice of appearance, sent a notice of representation letter to opposing counsel, received an update letter from opposing counsel regarding a proposed estate distribution, and forwarded that information to Complainant.

59. Respondent took all of those steps within a two-week period.

60. Thereafter, Respondent did not respond to Complainant's many voice mail and email requests for updates, did not communicate with Complainant, and did not give Complainant notice of his October 2014 suspension.

61. In December 2014 Complainant tried for the last time to reach Respondent and discovered that Respondent's phone was changed or disconnected with no further contact information available.

62. Respondent's suspension was the result of an eleven-count consent that had been in the making for several months.

63. Respondent had not told Complainant of his discipline problems or that he likely would be suspended at some point during the representation and unable to assist Complainant.

64. Respondent did not respond to the bar's screening investigation letters and emails dated April 15 and May 11, 2015.

65. Respondent did not inform Complainant, opposing counsel, the opposing parties, or the court, of his October 2014 suspension.

66. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ER 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, and 8.1; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT FIVE of NINE (File No. 14-3536/Becerra)**

67. In November 2012, Complainant Gibert Becerra hired Respondent to represent him in a foreclosure action.

68. The written fee agreement called for an initial case start-up fee of \$1,200, a monthly litigation fee of \$600, and a contingency fee (that became irrelevant).

69. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

70. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

71. Complainant paid \$12,000 through July 2014 before realizing that Respondent had done nothing for him.

72. Respondent failed to respond to the State Bar's screening investigation requests for information that bar counsel mailed and emailed to him on January 22 and April 15, 2015.

73. Respondent did not inform Complainant of his October 2014 suspension.

74. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.7, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT SIX of NINE (File No. 13-3558/Andrade)**

75. In May 2013, Complainants Gustavo and Mauricia Andrade hired Respondent to represent them in a foreclosure action.

76. The written fee agreement called for an initial case start-up fee of \$1,000, a monthly litigation fee of \$500, and a contingency fee that became irrelevant.

77. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

78. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

79. Complainants paid \$8,000 through July 2014 before realizing that Respondent had done nothing for them.

80. Complainants contacted the bank that held the note on their home and learned that Respondent had not contacted the bank.

81. Complainants gave Respondent the bank's contact information but Respondent still took no action.

82. To avoid a foreclosure, Complainants filed for bankruptcy protection with help from a non-lawyer.

83. Respondent failed to respond to the State Bar's screening investigation requests for information that bar counsel mailed and emailed to him on April 15 and May 11, 2015.

84. Respondent did not inform Complainants of his October 2014 suspension.

85. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.7, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT SEVEN of NINE (File No. 15-0084/Perez)**

86. Complainant Andres Perez hired Respondent in August 2013 to prevent his home foreclosure.

87. The written fee agreement called for an initial case start-up fee, a monthly litigation fee, and a contingency fee that became irrelevant.

88. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

89. Respondent charged and Complainant paid \$8,000 including monthly "litigation fee" payments through October 2014.

90. Complainant stopped paying when he lost his suit and Respondent failed to respond to him about appealing or otherwise concluding the case.

91. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

92. Respondent waited five months (January 2014) to file a Motion for TRO against First Magnus Financial Corp., Wells Fargo Bank, Mortgage Electronic Registration System ("MERS"), Quality Loan Service Corp., and Federal Home Loan Mortgage Corp., and another three months (April 2014) to file suit.

93. The court denied Respondent's request for an OSC to impose an injunction against trustee sale, placed the case on the inactive calendar in November 2014, and dismissed the case without prejudice as to all defendants in January 2015.

94. At one point Respondent obtained a default against Wells Fargo but the court vacated it on the bank's motion.

95. Complainant thought he'd won the case but Respondent failed to respond to Complainant's questions about how he lost when earlier he had obtained a default.

96. Respondent failed to respond to Complainant's telephone and email requests for status updates.

97. Respondent did not inform Complainant, opposing counsel, the opposing parties, or the court, of his October 2014 suspension.

98. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct.; ERs 1.2, 1.3, 1.4, 1.5, 1.7, 3.1, 3.2, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT EIGHT of NINE (File No. 15-0899/Urzua)**

99. In January 2013, Complainant Maria Lourdes Urzua hired Respondent to represent her in a foreclosure action.

100. The written fee agreement called for an initial case start-up fee of \$1,000, a monthly litigation fee of \$500, and a contingency fee (that became irrelevant).

101. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

102. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

103. Complainant paid \$2,500 through April 2013 before realizing that Respondent had done nothing for her and that her home had been sold in foreclosure.

104. When Complainant tried to reach Respondent, she learned that he moved out of his office and changed his phone number.

105. Complainant was unable to contact Respondent to obtain a refund of her fees.

106. Respondent did not terminate the representation so he was still Complainant's counsel when he was suspended in October 2014.

107. Respondent failed to inform her of his suspension.

108. Respondent failed to respond to the State Bar's screening investigation requests for information that bar counsel mailed and emailed to him on April 15 and May 11, 2015.

109. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., ERs 1.2, 1.3, 1.4, 1.5, 1.7, 1.15, 1.16, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

**COUNT NINE of NINE (File No. 15-0914/Castro)**

110. In April 2014, Complainant Jose Alfredo Castro hired Respondent to represent him in a foreclosure action.

111. The written fee agreement called for an initial case start-up fee of \$1,000, a monthly litigation fee of \$500, and a contingency (fee that became irrelevant).

112. Respondent has explained the fee structure thus: "[T]he compensation was meant to provide my client with a knowable, predictable fee which would be affordable to them, and provide an income stream to me."

113. Respondent's *modus operandi* was to postpone filing suit for as long as possible while collecting the monthly fees in order to prolong his income stream.

114. Complainant paid \$6,500 through March 2015 before realizing that Respondent had done nothing for him.

115. During the representation, Complainant went to Respondent's office to pay the monthly litigation fee in person, in cash.

116. Respondent typically hurried Complainant out of his office, sometimes telling him he was going to court on Complainant's case, other times telling him he was negotiating with Bank of America, and always assuring Complainant that the bank could not sell his house because Respondent was "in charge."

117. Respondent told Complainant he could just send his monthly payments; personal visits to his office were not necessary.

118. There came a point at which Respondent failed to respond to Complainant and disappeared from his office.

119. Complainant learned that Respondent never contacted Bank of America.

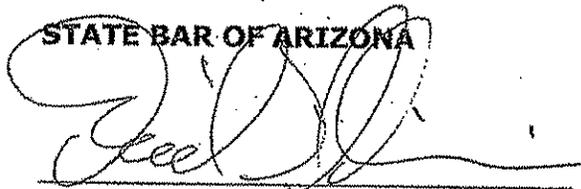
120. Respondent did not inform Complainant of his October 2014 suspension.

121. Respondent failed to respond to the State Bar's screening investigation requests for information that bar counsel mailed and emailed to him on April 22 and May 11, 2015.

122. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct.,  
ERs 1.2, 1.3, 1.4, 1.5, 1.7, 8.1, and 8.4; and Rules 54 and 72, Ariz. R. Sup. Ct.

DATED this 2<sup>nd</sup> day of October, 2015.

STATE BAR OF ARIZONA



David L. Sandweiss  
Senior Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 2<sup>nd</sup> day of October, 2015.

by: Julie Daehler  
DLS:jld

# EXHIBIT "B"

## Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona,  
James N. Tilson, Bar No. 020041, Respondent

File Nos. 14-2838, 14-2949, 14-3155, 14-3521, 14-3536,  
14-3558, 15-0084, 15-0899, and 15-0914

### Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

### **General Administrative Expenses for above-numbered proceedings**

**\$1,200.00**

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

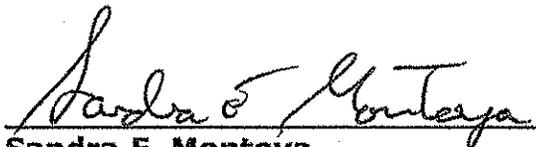
### Staff Investigator/Miscellaneous Charges

Total for staff investigator charges \$ 0.00

Total Costs and Expenses for each matter over 5 cases where a violation is admitted or proven.

(4 over 5 x (240.00)): \$ 960.00

TOTAL COSTS AND EXPENSES INCURRED \$ 2,160.00

  
Sandra E. Montoya  
Lawyer Regulation Records Manager

10-30-15  
Date

**EXHIBIT "C"**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER OF  
THE STATE BAR OF ARIZONA,**

**JAMES N. TILSON,  
Bar No. 020041,**

Respondent.

**PDJ 2015-9106**

**JUDGMENT OF DISBARMENT**

State Bar Nos. 14-2838, 14-2949,  
14-3155, 14-3521, 14-3536, 14-3558,  
15-0084, 15-0899, and 15-0914

Pursuant to Rule 57, Ariz. R. Sup. Ct., the undersigned Presiding Disciplinary Judge of the Supreme Court of Arizona has considered Respondent's Consent to Disbarment dated \_\_\_\_\_, 2015, and filed herein. Accordingly:

**IT IS HEREBY ORDERED** accepting the consent to disbarment. Respondent, James N. Tilson, is hereby disbarred from the State Bar of Arizona and his name is hereby stricken from the roll of lawyers effective \_\_\_\_\_.

IT IS FURTHER ORDERED that Respondent must pay restitution to the following people in the following respective amounts, within thirty (30) days following the date of service of this Judgment of Disbarment:

1. Maria Del Carmen Jimenez and Agustin Espinoza, \$11,400.00;
2. Irene Duarte, \$7,100.00;
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9. Jose Alfredo Castro, \$6,500.00.

Respondent is no longer entitled to the rights and privileges of a lawyer but remains subject to the jurisdiction of the court. Respondent shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** that no further disciplinary action shall be taken in reference to the matters that are the subject of the charges upon which the consent to disbarment and this judgment of disbarment are based.

**IT IS FURTHER ORDERED** that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ \_\_\_\_\_ within thirty (30) days following the date of service of this Judgment of Disbarment and if costs are not paid within the 30 days, interest will begin to accrue at the legal rate.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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**William J. O'Neil, Presiding Disciplinary Judge**

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this \_\_\_\_\_ day of November, 2015.

Copies of the foregoing mailed/emailed  
this \_\_\_\_\_ day of November, 2015, to:

James N. Tilson  
132 East Union Street  
Manti, Utah 84642  
Email: jamestilson66@gmail.com  
Respondent

Copy of the foregoing hand-delivered/emailed  
this \_\_\_\_\_ day of \_\_\_\_\_, 2015, to:

David L. Sandweiss, Bar No. 005501  
Senior Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
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Phoenix, Arizona 85016-6266

By: \_\_\_\_\_