

SUPREME COURT OF ARIZONA

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

) Supreme Court
) No. SB-03-0161-D
)
) Disciplinary Commission
) No. 00-0098

MICHAEL J. VINGELLI
Bar No. 002899

RESPONDENT.

) **JUDGMENT AND ORDER**

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and no discretionary review occurring,

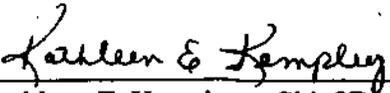
IT IS ORDERED, ADJUDGED AND DECREED that **MICHAEL J. VINGELLI**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **MICHAEL J. VINGELLI** shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

- 1) Respondent shall, within thirty (30) days of the Supreme Court's final judgment and order, contact the director of the Law Office Management Assistance Program (LOMAP) to schedule an audit of his law office. Following the audit, Respondent shall enter into a Memorandum of Understanding that will be effective for a period of two (2) years from the date upon which all parties have signed the Memorandum. Respondent shall comply with all recommendations of the LOMAP director or designee.
- 2) In the event Respondent fails to comply with any of the foregoing terms and information thereof is received by the State Bar, bar counsel shall file a Notice of Non-Compliance with the Disciplinary Commission. The Disciplinary Commission may refer the matter to a hearing officer to conduct a hearing at the earliest possible date, but in no event later than thirty (30) days following receipt of said notice. If the matter is referred to a hearing officer, the hearing officer shall determine whether the terms of probation have been breached, and if so, to recommend appropriate action and response to such breach.
- 3) If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), formerly 52(a)S, the State Bar of Arizona is granted judgment against MICHAEL J. VINGELLI for costs and expenses of these proceedings in the amount of \$666.90, together with interest at the legal rate from the date of this judgment.

DATED this 13th day of January, 2004.

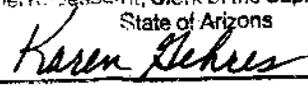

Kathleen E. Kempley, Chief Deputy Clerk

TO:

Michael J. Vingelli, Respondent (Certified Mail, Return Receipt)
Thomas A. Zlaket, Respondent's Counsel
Shauna R. Miller, Senior Bar Counsel
Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)
Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
West Publishing Company (Jode Ottman)
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The foregoing instrument is a full, true and correct copy of the original on file in this office.

Noted
Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona
By  Deputy