

**FILED**

JUN 12 2006

**BEFORE THE DISCIPLINARY COMMISSION OF THE  
OF THE SUPREME COURT OF ARIZONA**  
DISCIPLINARY COMMISSION OF THE  
SUPREME COURT OF ARIZONA  
BY *J. Conrad Baran*

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IN THE MATTER OF A MEMBER ) No. 04-1904  
OF THE STATE BAR OF ARIZONA, )  
)  
KEVIN P. McFADDEN, )  
Bar No. 014545 )  
)  
DISCIPLINARY COMMISSION  
REPORT  
)  
RESPONDENT. )  
\_\_\_\_\_ )

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on May 13, 2006, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed March 20, 2006, recommending acceptance of the Tender of Admissions and Agreement for Discipline by Consent (Tender) and Joint Memorandum in Support of Agreement for Discipline by Consent (Joint Memorandum) providing for a censure and costs of these disciplinary proceedings.

**Decision**

The eight<sup>1</sup> members of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendations for censure and costs of these disciplinary proceedings.<sup>2</sup>

RESPECTFULLY SUBMITTED this 12<sup>th</sup> day of June, 2006.

\_\_\_\_\_  
J. Conrad Baran, Vice-Chair  
Disciplinary Commission

<sup>1</sup> Commissioner Atwood did not participate in these proceedings.  
<sup>2</sup> The Hearing Officer's Report is attached as Exhibit A.

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Original filed with the Disciplinary Clerk  
this 12<sup>th</sup> day of June, 2006.

Copy of the foregoing mailed  
this 12<sup>th</sup> day of June, 2006, to:

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by: K. Weigand

/kw