

MAR - 9 2006

**BEFORE THE DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ARIZONA**  
DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ARIZONA  
BY *[Signature]*

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IN THE MATTER OF A SUSPENDED MEMBER )	Nos. 04-1073, 04-1291, 04-1440
OF THE STATE BAR OF ARIZONA, )	04-1810, 04-1999, 05-0316
)	05-0394, 05-1267
<b>EDMUND Y. NOMURA,</b> )	
<b>Bar No. 007209</b> )	
)	<b>DISCIPLINARY COMMISSION</b>
<b>RESPONDENT.</b> )	<b>REPORT</b>
)	

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on February 11, 2006, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed November 30, 2005 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 three year suspension,<sup>1</sup> two years of probation upon reinstatement with terms and conditions to be determined at the time of reinstatement, restitution, and costs of these disciplinary proceedings.

**Decision**

The nine members of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for a three year suspension,<sup>2</sup> two years of probation upon reinstatement with

<sup>1</sup> The Joint Memorandum, p. 3 provides that the period of suspension will run concurrent with Respondent's two year suspension recommended in File Nos. 03-0944 and 04-0815. The Hearing Officer's Report is silent on this issue. Upon review, the Commission determined that the omission is inadvertent and simply an oversight.

<sup>2</sup> The Disciplinary Commission overall is satisfied that the agreed upon sanction protects the public; however, had this matter not been an Agreement, the period of suspension would have routinely been imposed consecutively, thereby resulting in a five year suspension and rendering the sanction analogous to disbarment. The Disciplinary Commission notes that should additional matters involving similar misconduct by Respondent come on for review hereafter, the Commission would be inclined to reject a concurrent sanction.

terms and conditions to be determined at the time of reinstatement, restitution, and costs of these disciplinary proceedings.<sup>3</sup> Restitution is as follows:

Wan and Kwan Ok Lee                      \$1,500.00

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of March, 2006.

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Barbara A. Atwood, Chair  
Disciplinary Commission

Original filed with the Disciplinary Clerk  
this 9<sup>th</sup> day of March, 2006.

Copy of the foregoing mailed  
this 9<sup>th</sup> day of March, 2006, to:

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by: *Ke Weigand*

/mps

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<sup>3</sup> The Hearing Officer's Report is attached as Exhibit A.