FILED
MAR 14 2006
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

SUPREME COURT OF ARIZONA

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| IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA, | ) | Supreme Court No. SB-06-0003-D |
| | ) | Disciplinary Commission Nos. 03-0944, 04-0815 |
| **EDMUND Y. NOMURA, Bar No. 007209** | ) | |
| 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, there having been no discretionary review and *sua sponte* review having been declined by the Court,

IT IS ORDERED, ADJUDGED AND DECREED that **EDMUND Y. NOMURA**, a suspended member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of three (3) years, effective the date of this judgment and order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **EDMUND Y. NOMURA** shall be placed on probation for a period of two (2) years upon reinstatement and effective upon the signing of the probation contract. The terms of probation will be determined at the time of reinstatement, but should include the State Bar's Law Office Management Assistance Program (LOMAP) including a practice monitor, the State Bar's Trust Account Ethics Enhancement Program (TAEEP), and maintenance of malpractice insurance. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins.

IT IS FURTHER ORDERED that as to Count One, the State Bar shall refer this matter to the Bankruptcy Court for restitution or disgorgement of the $40,000.00 paid in the *Scorpion* matter.

IT IS FURTHER ORDERED that **EDMUND Y. NOMURA** shall pay restitution in the following amounts to the following individuals:

Stephen & Sherry Fry $2,051.60

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that Respondent shall be assessed costs and expenses of the disciplinary proceedings as provided in Rule 60(b).

DATED this 14th day of March, 2006.

NOEL K. DESSAINT
Clerk of the Court

TO:
Edmund Y. Nomura, Respondent (Certified Mail, Return Receipt and Regular Mail)
John F. O'Connor, Respondent's Counsel
Denise M. Quinterri, Bar Counsel
Mark S. Sifferman, Hearing Officer 9J
Patricia Seguin, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Perry Thompson, Director of Admissions, Supreme Court of the United States (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.

ATTEST
Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona

By _____ Deputy