

SUPREME COURT OF ARIZONA

FILED
JUL 28 2008
RACHELLE M RESNICK
CLERK SUPREME COURT
BY

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

Supreme Court
No SB-08-0089-D

Disciplinary Commission
Nos 05-1642, 05-2091, 06-0712

MICHAEL NEUMANN,)
Bar No. 018859)

RESPONDENT)

JUDGMENT AND ORDER

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that MICHAEL NEUMANN, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of three years, retroactive to April 14, 2006, 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 NEUMANN shall be placed on probation for a period of two years. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows

- 1 The probation period will begin to run at the time of the reinstatement and will conclude two years from the date that all parties have signed the probation contract.
- 2 Respondent shall contact the Director of LOMAP within thirty days of the date of reinstatement. Respondent shall submit to a LOMAP audit of his office's calendaring and client communication procedures. The Director of LOMAP shall develop a probation contract.
- 3 Respondent shall also undergo an assessment in connection with MAP and any recommendations resulting from such assessment shall also be incorporated in the probation contract.
- 4 As part of Respondent's probation, Respondent agrees to attend TAEPP, enter into a TAP contract and participate in the programs during the period of probation.
- 5 Respondent agrees to pay all costs associated with probation, including costs of his participation in LOMAP, MAP, TAEPP, and TAP.

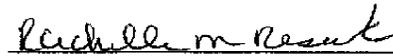
- 6 Respondent shall pay restitution to Dr. Steven Wiener in the amount of \$9,500 00
7. Respondent shall pay all costs and expenses incurred by the State Bar in this disciplinary proceeding.
- 8 Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other Rules of the Arizona Supreme Court
- 9 In the event that Respondent fails to comply with any of the foregoing Probation terms, and information thereof is received by the State Bar of Arizona, Bar Counsel shall file a Notice of Noncompliance with the imposing entity, pursuant to Rule 60(a)(5), Ariz R Sup.Ct The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest practicable date, but in no event later than thirty days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend appropriate action and response. 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 of Arizona to prove noncompliance by clear and convincing evidence

IT IS FURTHER ORDERED that Respondent shall comply with all applicable provisions of Rule 72, Rules of the Supreme Court of Arizona, and 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 pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against MICHAEL NEUMANN for costs and expenses of these proceedings in the amount of \$1,872.90 together with interest at the legal rate from the date of this judgment.

DATED this 28th day of July, 2008



Rachelle M. Resnick
Clerk of the Court

TO

Michael Neumann, Respondent (Certified Mail, Return Receipt and Regular Mail)
Michael R Walker, Respondent's Counsel
Patricia J Ramirez, Bar Counsel
Honorable H. Jeffrey Coker, Hearing Officer 6R
Leticia V D'Amore, Disciplinary Clerk (Cert Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Perry Thompson, Director, United States Supreme Court (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)
Lexis/Nexis

The foregoing instrument is a full, true and correct
copy of the original on file in this office.

ATTEST

Rachelle M Resnick, Clerk of the Supreme Court
State of Arizona

By Carmen L. Tule Deputy