

- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz R Sup.Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that **DION C. WARE** shall pay restitution in the following amounts to the following individuals

Bernice Kay Rhoden	\$ 500 00
Tina Ann Pace-Morell	<u>\$5,000 00</u>
TOTAL	\$5,500 00

IT IS FURTHER ORDERED THAT Respondent shall also reimburse the client protection fund for any and all claims paid not to exceed \$100,000

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 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 18th day of March, 2007

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 [Signature] Deputy

[Signature]
Rachelle M. Resnick
Clerk of the Court

Arizona Supreme Court No. SB-08-0009-D

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TO:

Dion C Ware, Respondent (Certified Mail, Return Receipt and Regular Mail)

Edward W Parker, Bar Counsel

Richard N. Goldsmith, Hearing Officer

Leticia V D'Amore, 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)

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