

FILED
MAR 09 2009
HEARING OFFICER OF THE
SUPREME COURT OF ARIZONA
BY RM

**BEFORE A HEARING OFFICER OF
THE SUPREME COURT OF ARIZONA**

1
2
3 IN THE MATTER OF A MEMBER)
4 OF THE STATE BAR OF ARIZONA,)
5)
6 **HUBERT E. KELLY,**)
7 **Bar No. 001725**)
8)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
RESPONDENT.)

No. 08-0351

ORDER OF INFORMAL REPRIMAND

8 This Hearing Officer having filed a Report in the above-captioned matter, a
9 copy of that Report having been served upon Respondent's Counsel and the State Bar, and
10 no objections to the Report or the recommendation of informal reprimand, probation and
11 costs having been filed,

12 **IT IS HEREBY ORDERED:**

13
14 1. Respondent, **HUBERT E. KELLY**, is hereby reprimanded for conduct in
15 violation of the Rules of Professional Conduct, Rule 42, Ariz.R.Sup.Ct., specifically ER 1.3
16 and 3.4(d). Respondent failed to timely provide a disclosure statement and file a motion to
17 amend; Respondent failed to make timely witness and exhibit disclosures and to make a
18 reasonably diligent effort to comply with a legally proper discovery request by an opposing
19 party.

20 2. Respondent shall pay all costs involved in these disciplinary proceedings, as
21 evidenced by the Statement of Costs and Expenses found in the Tender of Admissions and
22 Agreement for Discipline by Consent, as well as the Disciplinary Clerk's Statement of
23 Costs¹, totaling \$878.00.

24
25 ¹ Disciplinary Clerk's Statement of Costs is attached as Exhibit A.

1 Original filed with the Disciplinary Clerk
2 this 9th day of March, 2009.

3 Copy of the foregoing mailed
4 this 10th day of March, 2009, to:

5 William H. Doyle
6 J. Randall Jue
7 Respondent's Counsel
8 *Doyle Berman Murdy, P.C.*
9 1313 East Osborn Rd, Suite 100
10 Phoenix, AZ 85014

11 Copy of the foregoing hand-delivered
12 this 10th day of March, 2009, to:

13 Thomas E. McCauley, Jr.
14 Bar Counsel
15 State Bar of Arizona
16 4201 North 24th Street, Suite 200
17 Phoenix, AZ 85016-6288

18 by: Nesta Manelkar

19
20
21
22
23
24
25