

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,)	Supreme Court No. SB-09-0089-D
)	
)	Disciplinary Commission No. 07-1428
JEFFREY D. MOFFATT, Bar No. 021642)	
)	FILED 09/14/2009
RESPONDENT.)	JUDGMENT AND ORDER
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This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and there having been no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **JEFFREY D. MOFFATT**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **JEFFREY D. MOFFATT** shall be placed on probation for a period of one (1) year. The terms of probation are as follows:

1. The probation will commence upon the date of the final Judgment and Order and will conclude one year from that date.
2. Respondent shall, within 20 days of the date of the Judgment and Order, contact the Director of LOMAP. The "Terms and Conditions of Probation" shall be developed by LOMAP, and shall be incorporated herein by reference.
3. Respondent shall be responsible for the costs of participation in LOMAP and for the CLE courses required by the terms of this agreement.
4. Respondent shall comply with all other terms and conditions of probation, which shall be incorporated herein by reference.
5. Respondent shall comply with all rules governing practice in the Court of Federal Claims and shall comply with any court order or judgment entered relating to cases in which he is involved, either professionally or personally.
6. Respondent shall, during the period of probation, complete 15 hours of CLE on federal litigation practice. The CLE courses may be those offered and approved by the State Bar of Arizona, Federal Bar or private CLE providers.

If the course is offered by a private purveyor, Respondent shall obtain the approval of bar counsel prior to completing the course.

7. Respondent shall refrain from engaging in any conduct that would violate the Rules of professional Conduct or other Rules of the Supreme Court of Arizona.
8. 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 Non-Compliance 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 practical date, but in no event later than 30 days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the State Bar of Arizona bears the burden of proof to prove noncompliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **JEFFREY D. MOFFATT** for costs and expenses of these proceedings in the amount of \$1,132.75 together with interest at the legal rate from the date of this judgment.

DATED this _____ day of September, 2009.

Rachelle M. Resnick
Clerk of the Court

TO:

Jeffrey D. Moffat, Respondent (Certified Mail, Return Receipt and Regular Mail)

William King, Respondent's Counsel

Roberta L. Tepper, Bar Counsel

Robert J. Stephan, Hearing Officer 9R

Leticia V. D'Amore, Disciplinary Clerk

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona

Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit

Attn: Don Lewis

Richard Weare, Clerk, United States District Court, District of Arizona

Attn: Beth Stephenson

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