

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<u>CASE NAME NUMBER/DATE</u>	<u>VIOLATION DESCRIPTION DISCIPLINARY RULES</u>	<u>OFFICER RECOMMEND</u>	<u>COMMISSION RECOMMEND</u>	<u>COURT SANCTION</u>	<u>COMMENTS</u>
<u>Brown, Robert L.</u> 03/01/99 DC No. 94-0033 SB-99-0007-D (By Judgment)	Respondent converted \$5,000 of client funds and lied about it. ER 1.15(a) ER 8.1(b) ER 8.4(a) ER 8.4(d) SCR 51(h) SCR 51(i)	Disbarment	Disbarment	<i>Sua sponte</i> review declined	The Hearing Committee rejected the Agreement for Discipline by Consent. Stipulations were withdrawn. An amended complaint was filed and the conduct was deemed admitted by default. In aggravation: 9.22(b)(h)(f)(i); no mitigation.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Butler, Anthony E.

N/A

N/A

Consent to
Disbarment

Respondent neither admitted
or denied the allegations
against him.

06/28/99

DC Nos. 97-0340
97-0667
97-1427
97-1770
97-1947
97-2024
97-2219
97-2584
98-0523
98-0858
98-0869
98-0976
98-1444

SB-99-0026-D

(By Judgment)

January 1 through December 31, 1999

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Cogley, Christopher J.

05/27/99
DC No. 95-1439
SB-99-0048-D

(By Judgment)

Appointed guardian ad litem for a child and failed to appear for a scheduled Report and Review hearing. The Court ordered Respondent to file an explanation as to his failure to appear and failure to keep in contact with the child or related parties. Respondent did not respond to the Court's orders and was subsequently relieved of his responsibilities.

ER 1.3 ER 1.4 ER 8.4
SCR 51(e)

Suspension 6 months + 1 day with the suspension running from Respondent's original suspension on May 15, 1996.

Suspension 6 months + 1 day with the suspension running from Respondent's original suspension on May 15, 1996.

Sua sponte
review declined

Conduct deemed admitted by default; Factors present in aggravation: 9.22(h); in mitigation: 9.32(a).

Estrada, R. George

12/01/99
DC No. 99-1880
SB-99-0073-D

Placed on interim suspension 12/01/99 by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Misappropriation /conversion of client funds. Transferred per stipulation by parties. Motion for Interim Suspension dismissed. Suspension in effect until final disposition of all pending proceedings.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Farley, David S.

04/20/99

DC No. 99-0701

SB-99-0037

(By Order)

Placed on interim suspension
04/08/99 by Order of the
Supreme Court.

N/A

N/A

Interim
Suspension

Felony conviction for
aggravated assault
and unlawful flight
from pursuing law
enforcement vehicle.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Flynn, Danny J.

Placed on interim suspension 06/02/99
by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Suspension in effect
until final disposition
of all pending
proceedings.
Precluded from
distributing funds
from any trust
account without
written approval.

06/28/99

DC No. 99-0952

SB-99-0055-D

(By Order)

Friedman, Robert M.

Placed on interim suspension 06/02/99
by Order of the Supreme Court.

N/A

N/A

Interim
Suspension

Suspension in effect
until final disposition
of all pending
proceedings.
Precluded from
distributing funds
from any trust
account without
written approval.

06/02/99

DC No. 99-0777

SB-99-0052

(By Order)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Gliege, John G.

04/05/99
DC No. 96-0045
SB-99-0038-D

(By Judgment)

Fee arbitration panel determined Respondent charged unreasonable fees. There was no intent to defraud and the panel further determined both the Respondent and his client were equally responsible for the circumstances. Respondent failed to limit his work to that which is reasonable and the client exhibited an unyielding persistency to litigate the matter.

ER 1.5

Accept
Agreement for
Censure.

Accept
Agreement for
Censure.

Sua sponte
review declined

No aggravating
factors; in mitigation:
9.32(a)(e)(1).

Haglund, Evan L.

08/03/99
DC No. 97-1898
SB-99-0064-D

(By Judgment)

Respondent misappropriated IOLTA trust account funds and converted interpled funds for personal use.

ER 1.4 ER 1.15 ER 8.4
SCR 43 SCR 44

Disbarment &
Restitution

Disbarment &
Restitution

Sua sponte
review declined

In aggravation:
9.22(b); no
mitigation.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Halladay II, Michael S.

12/01/99

DC Nos. 95-2007
96-0308
96-0733
96-1744
97-0639
97-1690
97-2706
98-0199
98-0785
98-2018
99-0582
99-0711
99-1043
99-1501
99-1565
99-1639

Respondent admitted charges and complaint made were true in substance and fact. Respondent did not choose to contest or defend charges, but consented to disbarment.

N/A

N/A

Consent to Disbarment & Restitution

Respondent to pay Restitution as set forth in the Agreement filed September 21, 1998. Respondent shall satisfy all judgments and arbitration awards and all claims paid by the Client Protection Fund.

SB-99-0076-D

(By Order)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Horenstein, Neal G.

04/02/99

DC No. 97-0500

SB-99-0034-D

(By Judgment)

Respondent represented client in an employment and personal injury matter. Respondent failed to submit a timely reassignment form. A form was later submitted with Respondent's signature and said form was backdated.

ER 1.1

ER 8.4(c)

N/A

Accept
Agreement for
Censure.

Sua sponte
review declined

In aggravation:
9.22(b)(i); in
mitigation: 9.32(a)
(d)(e)(l).

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Horton, William C.

01/19/99

DC Nos. 95-1610
95-1813
96-0095
96-0147
96-0194
96-1344
96-1599
96-1883

SB-98-0068-D

Respondent engaged in a pattern of neglect and failed to diligently represent clients and to promptly deliver their property or funds. Respondent also failed to supervise non-lawyer assistants, negotiated a settlement without client authorization, failed to collect on awarded judgments, engaged in representation that was a conflict of interest, was deceptive to the State Bar concerning his representation, and charged unreasonable fees.

Suspension for twelve (12) months.

Suspension for two (2) years.

Sua sponte review declined

In aggravation:
9.22(a)(c)(d); in mitigation:
9.32(e)(l).

ER 1.3 ER 1.4 ER 1.4(a)
ER 1.4(b) ER 1.5(a) ER 1.15(b)
ER 1.7 ER 1.8(g) ER 5.3(b)
ER 8.1(a) ER 8.4(c)

(By Judgment)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Houser, William J., Jr.

03/02/99
DC No. 98-0991
SB-99-0001-D

(By Judgment)

Rule 58(c) Reciprocal Discipline;
sanction was identical to discipline
imposed by the State of California
01/27/98.

N/A

Suspension for
twelve (12)
months, with the
suspension
stayed, and
probation for
five (5) years.
The period of
suspension and
probation is
retroactive to
and concurrent
with the
discipline
imposed in
California.

Sua sponte
review declined

CA Bar determined
Respondent filed
frivolous and
unmeritorious lawsuits.
CA Court imposed
sanctions in the amount
of \$600.00.
Respondent's ability to
practice law in AZ shall
be conditional on his
demonstrating
compliance with CA
probation and his
arranging with the State
Bar for supervised
probation in AZ.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Kaufman, Sara A.

11/03/99
DC Nos. 93-1037
93-2101
94-2382
95-0219
95-2188
96-0578
96-0735
96-0835
96-1269
SB-99-0067-D

Respondent represented several clients in post-conviction relief matters and failed to address issues on appeal or to file petitions for review. In these and additional matters, Respondent accepted retainers from clients and then performed little or no work. Respondent failed to communicate with her clients and demonstrated a lack of diligence with respect to protecting their interests, conduct resulted in harm to the clients. Respondent made false statements and misrepresentations to her client, the court and the State Bar.

Disbarment &
Restitution

Disbarment &
Restitution

Petition for
Review denied

Respondent failed in her disability hearing to establish by clear and convincing evidence that she lacked the capacity to discharge adequately her duty to her clients, the court, State Bar and the public. Respondent also failed to establish, by the same standard, the inability to assist in her defense due to mental or physical capacity. In aggravation:
9.22(a)(b)(c)(d)(e)(f)(g)(h)(j); in mitigation:
9.32(f).

(By Judgment)

ER 1.2 ER 1.3 ER 1.4
ER 1.16 ER 3.2 ER 3.3
ER 3.4(c) ER 8.1(a)
ER 8.1(b) ER 8.1(c)
ER 8.4 ER 8.4(c)
ER 8.4(d) SCR 51(e)
SCR 51(k) SCR 51(h) SCR 51(i)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Levine, Jack

04/21/99

DC No. 97-0325

SB-99-0049-D

(By Judgment)

Respondent was convicted of two counts of willful failure to pay income tax, in violation of Title 26, U.S.C., §7203, a misdemeanor offense.

N/A

Accept Agreement for Censure.

Sua sponte review declined

Factors present in aggravation: 9.22(a); in mitigation: 9.32(b)(e)(g)(k)(l).

ER 8.4(b)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

McCormick, Cynthia R.

06/02/99

DC Nos. 96-0262
96-0622
96-0753
96-1037
96-1526
96-2186
96-2307

SB-99-0035-D

(By Judgment)

Accepted retainers from clients and failed to perform services; neglected client matters; failed to communicate with clients and failed to respond to the State Bar's inquiries.

ER 1.1 ER 1.2 ER 1.3
ER 1.4 ER 1.5 ER 1.15
ER 1.15(b) ER 1.16(d)
ER 3.4(c) ER 8.1(b) ER 8.4
ER 8.4(c) ER 8.4(d)
SCR 51(h) SCR 51(i)

N/A

Accept Agreement for Suspension for one (1) year, effective consecutively with current suspension; restitution in the amount of \$385.00.

Sua sponte review declined

In aggravation: 9.22(a)(c)(d); no mitigation. Conduct occurred at or near the same time period as conduct resulting in her current suspension. Respondent continued to practice law at the beginning of her current suspension and failed to communicate this sanction to her client.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

McGuire, Charles W.

04/15/99

DC Nos. 96-2106
96-2263
96-3174
97-0401

SB-99-0029-D

Respondent while representing clients in general estate matters, failed to adequately communicate with his clients, failed to prepare necessary documents, abandoned clients, failed to return unearned retainers and personal property in the form of stock certificates and deeds to his clients, and failed to cooperate with the State Bar.

Suspension for two (2) years.

Suspension for two (2) years.

Sua sponte review declined

Conduct deemed admitted by default. In aggravation: 9.22(d)(e); in mitigation: 9.32(a).

(By Judgment)

ER 1.2	ER 1.3	ER 1.4
ER 1.5	ER 1.15	ER 1.16
ER 8.1(b)	ER 8.4(c)	
ER 31(c)(3)	SCR 51(h)	
SCR 51(i)		

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Meyer, Scott R.

10/06/99
DC Nos. 96-1736
97-1143
97-1634
SB-99-0063-D

Respondent pled guilty to one count of attempted sexual abuse, a class 6 open ended-felony, and was sentenced to 7 days in jail and 3 years of intensive probation. In other matters, Respondent failed to diligently represent or communicate with the clients, allowing one client's statute of limitations to expire on their claim. Respondent failed to respond or cooperate with the State Bar.

Disbarment

Suspension for 4 years, retroactive to 02/11/97 and probation for two (2) years effective 05/02/99.

Sua sponte review vacated. No discretionary or *sua sponte* review occurring.

Conduct deemed admitted by default. In aggravation: 9.22(a)(c)(d)(d)(g).

(By Judgment)

ER 1.3 ER 1.4 ER 8.1(b)
ER 8.4(b) ER 8.4(c)
SCR 51(h) SCR 51(i)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<u>Parks, II, Richard C.</u>	Respondent appeared in several matters in court during his suspension and misrepresented his status to the court. In addition, Respondent abandoned clients and failed to communicate with clients and failed to file an appeal on their behalf. Several causes of actions were time barred due to Respondent's lack of competence and diligence. Respondent further misused and misappropriated trust account funds and denied clients access to their files.	Disbarment	Disbarment	<i>Sua sponte</i> review declined	Conduct deemed admitted by default. In aggravation: 9.22(a)(b)(c)(d)(e)(f); no mitigation.
08/03/99					
DC Nos.	96-2082				
	96-2245				
	97-0131				
	97-0764				
	97-1360				
	97-1404				
	97-1624				
	97-1771				
	97-1817				
	97-2032				
SB-99-0060-D					
(By Judgment)	ER 1.1	ER 1.2	ER 1.3		
	ER 1.4	ER 1.8(h)	ER 1.16		
	ER 1.16(d)	ER 3.2	ER 3.3		
	ER 4.1	ER 5.5	ER 8.1(b)		
	ER 8.4	ER 8.4(c)	SCR 43		
	SCR 44	SCR 51(e)	SCR 51(k)		
	SCR 51(h)	SCR 51(i)	SCR 63		

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Pavilack, Lawrence L.

01/06/99

DC No. 96-0397

SB-98-0075-D

(By Judgment)

Respondent represented a client in a dissolution of marriage and distribution of marital property. Respondent failed to act with reasonable diligence and ceased communication with his client, did not return phone calls and failed to respond to a letter sent to him by fax. In addition, Respondent billed the client for a will that was not executed and failed to cooperate and respond to the State Bar inquiries

ER 1.3 ER 1.4 ER 1.5
ER 8.1 ER 8.4
SCR 51(h) SCR 51(i)

Suspension for 90 days and probation for one (1) year.

Censure and probation for one (1) year, during which time he shall obtain counseling, obtain 12 hours of ethics instruction and attend the Professionalism Course.

Sua sponte review declined

Previously censured and placed on probation for similar misconduct. Lack of diligence did not result in injury; client was difficult and confused facts therefore, conduct was negligent rather than intentional. Displayed cavalier attitude during hearing. Dissent written. Factors present in aggravation: 9.22(a)(c)(e)(i); in mitigation: 9.32 (b)(d)(g).

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Pelfrey, Patricia A.</u> 01/19/99 DC Nos. 95-2241 96-0286 96-0781 96-1217 SB-98-0066-D (By Judgment)</p>	<p>While representing guardians or conservators, Respondent failed to file court ordered documents, failed to respond to the court, her clients, or other attorneys. Respondent stopped practicing law without giving notice.</p> <p>ER 1.1 ER 1.3 ER 1.4 ER 1.16(d) ER 3.3 ER 3.4 ER 8.1(b) ER 8.4 SCR 51(e) SCR 51(h) SCR 51(i) SCR 51(k)</p>	<p>Suspension for 6 months + 1 day, retroactive to 05/15/96.</p>	<p>Suspension for 6 months + 1 day, retroactive to 05/15/96.</p>	<p><i>Sua sponte</i> review declined</p>	<p>Conduct deemed admitted by default. There was some suggestion in the record of appeal regarding possible psychological or medical problems, however Respondent failed to provide evidence to support this suggestion, therefore no consideration was given. In aggravation: 9.22(c)(d)(i); in mitigation: 9.32(a)(b).</p>
<p><u>Poggi, Elonica J.</u> 06/02/99 DC Nos. 95-0732 95-1829 95-1855 95-2021 SB-99-0005-D (By Judgment)</p>	<p>Upon termination, Respondent refused to communicate and turn over documents to the client or substitute counsel; abandoned clients and failed to adequately protect clients interest upon termination of representation; filed a frivolous and bad faith appeal; made false statements and unfairly focused blame on her client.</p> <p>ER 1.16(d) ER 3.1 ER 8.1 ER 8.4</p>	<p>Informal Reprimand</p>	<p>Suspension for thirty (30) days and probation for one (1) year with LOMAP; attend professionalism course within six months.</p>	<p>Petition to Review denied. Suspension for thirty (30) days and probation for one (1) year with LOMAP; attend professionalism course within six months.</p>	<p>Committee report states it is not aware of any evidence of aggravation or mitigation, but notes the Respondent has no prior discipline; 9.32(a).</p>

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Rogers, C. Randy

11/01/99
DC Nos. 95-0019
95-0587
SB-99-0071-D

(By Judgment)

Respondent represented clients in connection with partnership and real estate matters. Problems arose at closing regarding the identity of the purchasers. Respondent was less than diligent in his handling of this matter. His actions caused his clients to be involved in civil litigation, ultimately resulting in the entry of a judgment.

ER 1.1 ER 1.3 ER 1.4
ER 8.4(d) SCR 51(f)
SCR 51(i)

Suspension for 90 days and probation for two (2) years with LOMAP and MAP.
Restitution

Suspension for 90 days and probation for two (2) years with LOMAP and MAP.
Restitution

Sua Sponte
review declined

Respondent originally entered into a consent agreement with diversion (LOMAP). Respondent delayed in signing the agreement and then failed to cooperate with the State Bar to ratify the agreement. A motion to amend the complaint was filed and subsequent hearings were held. In aggravation: 9.22 (a)(c)(d)(e)(i); no mitigation.

Ruffin, Victoria G.

03/30/99
DC No. 96-0341
SB-99-0027-D

(By Judgment)

Respondent filed a frivolous motion and was ordered to pay \$1,500.00 for violation of Rule 11. Respondent has failed to satisfy the 1996 judgment amount and also failed to participate in the disciplinary proceeding.

ER 1.1 ER 3.1 ER 4.4
ER 8.4(d) SCR 51(e)
SCR 51(h) SCR 51(i)
SCR 51(k)

Suspension for seven (7) months and \$1,500.00 restitution.

Suspension for seven (7) months and \$1,500.00 restitution.

Sua sponte
review declined

Conduct deemed admitted by default. In aggravation: 9.22(e)(j); no mitigation. Rule 31(c) discussion.

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Ruiz, Pete R. Jr.

01/19/99

DC Nos. 95-2065
95-2068
96-0738
96-1934
96-3158
97-0018
97-0144
97-0292
97-1569
97-1856
97-2524

SB-98-0071-D

(By Judgment)

Over a three year period, Respondent accepted retainers to represent clients in domestic relations or immigration matters and then performed little or no work on their cases. Respondent also represented clients in personal injury matters and failed to communicate with them, performed little or no work on their case, and lied to them to cover his own actions. In one instance, Respondent canceled or failed to appear for over 20 appointments and accepted money after he was suspended from the practice of law. Respondent failed to safeguard settlement proceeds received on behalf of a minor child and the court subsequently found that Respondent had stolen \$43,000.00. Respondent failed to appear at his judgment debtor examination and a warrant was issued for his arrest. Respondent failed to fulfill court appointed arbitrator duties. Respondent also failed to respond to State Bar inquiries on all matters.

ER 1.1 ER 1.2 ER 1.3 ER 1.4
ER 1.5 ER 1.15 ER 1.16 ER 3.3
ER 3.4(c) ER 5.5 ER 8.1(b) ER 8.4
SCR 31(c) SCR 43 SCR 44
SCR 51(e) SCR 51(f) SCR 51(h)
SCR 51(i) SCR 51(k) SCR 63

Accept Agreement for Suspension for two (2) years, retroactive to May 15, 1997.

Accept Agreement for Suspension for two (2) years, retroactive to May 15, 1997.

Sua sponte review declined

In aggravation: 9.22(a)(c)(d); in mitigation: 9.32(b)(e)(h)(m).

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Schlievert, Scott W.

03/30/99

DC Nos. 95-0008
96-1999
96-2201

SB-99-0017-D

(By Judgment)

Respondent represented three clients in domestic relations matters. Respondent failed to notify his client of a court hearing, stipulated to a reduction in the arrearage amount without the client's consent, failed to object to opposing counsel's petition for attorney's fees; failed to inform client of the resulting award for attorney's fees; failed to prepare client to give testimony; failed to timely subpoena and subsequently call a witness; failed to return client's file in a timely manner upon termination. In the second and third matter, Respondent did not abide by the instructions of his client and failed to prepare the client to give testimony.

ER 1.2 ER 1.3 ER 1.4
ER 1.15 ER 1.16

Accept
Agreement for
Censure and
probation for
one (1) year
with LOMAP.

Accept
Agreement for
Censure and
probation for
one (1) year
with LOMAP.

Sua sponte
review declined

In aggravation:
9.22(a)(c)(d)(i); in
mitigation: 9.32(b)(e)(j).

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Schollars, Rhoda E.</u> 08/03/99 DC Nos. 96-1933 97-0644 97-0828 SB-99-0062-D (By Judgment)</p>	<p>Respondent failed to communicate with clients and advise them of the status of their case. Respondent failed to diligently pursue client matters, resulting in dismissal of two matters. Respondent also relocated her office and did not notify clients. Respondent failed to cooperate or respond to the State Bar inquiries.</p>	<p>Disbarment & Restitution</p>	<p>Disbarment & Restitution</p>	<p><i>Sua sponte</i> review declined</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(c)(d)(e)(g)(j); no mitigation.</p>
	<p>ER 1.3 ER 1.4 ER 3.1 ER 3.2 ER 3.3 ER 4.1 ER 1.16(d) ER 8.1(b) ER 8.4 SCR 51(h) SCR 51(i)</p>				

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Scott, Richard A.

03/29/99

DC Nos. 96-0265
96-0451
96-0558
96-1011
96-1396
96-1406
96-1719
96-1957
96-1989
96-2014
96-2140
96-3144
97-0357
97-0423
97-1801

Respondent represented clients in bankruptcy or dissolution proceedings. Respondent never met with the clients. Respondent appeared as the attorney of record in the proceedings, although all contact between Respondent's office and clients were with Respondent's non-lawyer assistants. Respondent failed to abide by his client's decisions; failed to act with diligence and to keep his clients reasonably informed as to the status of their matters; failed to promptly comply with reasonable requests for information; failed to exercise direct supervising authority over non-lawyer assistants and assisted persons in the performance of activities constituting the unauthorized practice of law; failed to appear at hearings and return unearned portions of retainers.

N/A

Accept Agreement for Suspension for three (3) years, retroactive to December 18, 1996.

Sua sponte review declined

In aggravation: 9.22(c)(d)(h)(i); in mitigation: 9.32(a)(b)(e)(l).

SB-99-0011-D

ER 1.2	ER 1.3	ER 1.4
ER 5.3	ER 5.5	

(By Judgment)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Siirtola, Jeffrey S.

03/30/99

DC Nos. 96-1595
96-2249
97-0087
97-1151

SB-99-0033-D

(By Judgment)

Respondent failed to act with due diligence and to maintain adequate communications with clients. One client wanted judgment extended and Respondent allowed judgment to expire. In a dissolution matter, Respondent failed to communicate with the client and communication was insufficient regarding the extent of the representation. In the third matter, Respondent failed to file a response on behalf of his client to the complaint, thus resulting in an entry of default. Respondent was appointed to represent a client in a post-conviction relief and experienced difficulties in communicating with his clients. The court later granted a motion to withdraw due to his heavy caseload.

N/A

Accept Agreement for Censure and probation for two (2) years with LOMAP.

Sua sponte review declined

In aggravation: 9.22(c)(d)(e); in mitigation: 9.32(b)(d)(h)(j)(l). Conduct was result of negligence induced by mental state. Presented evidence of clinical depression, once stabilized, voluntarily contacted LOMAP.

ER 1.2 ER 1.3 ER 1.4
ER 8.1(b) SCR 51(h)
SCR 51(i)

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Sodikoff, Arnold M.</u> 06/23/99 DC Nos. 94-0489 94-2233 96-0022 96-1601 96-1602 96-1603 SB-99-0057-D</p>	<p>Respondent neglected client matters; failed to provide accountings; failed to participate or respond to State Bar inquiries and complete lack of control and loss of temper to third parties.</p>	<p>Accept Agreement for Suspension for one (1) year, beginning 12/01/98.</p>	<p>Accept Agreement for Suspension for one (1) year, beginning 12/01/98.</p>	<p><i>Sua sponte</i> review declined</p>	<p>In aggravation: 9.22(a)(d); mitigation: 9.32(c)(d)(j).</p>
<p>(By Judgment)</p>					
<p><u>Thrasher, Robert</u> 01/19/99 DC No. 98-0150 SB-98-0074-D</p>	<p>Rule 58(c) Reciprocal Discipline; sanction was identical to discipline imposed by the State Bar of California 11/12/91, that being suspension and ultimately disbarment for lack of diligence, violations of other duties owed professionals causing serious or potentially serious injury to a client, the public or the legal system.</p>	<p>N/A</p>	<p>Disbarment</p>	<p><i>Sua sponte</i> review declined</p>	<p>Respondent accepted retainers and performed little or no work, lied to clients regarding their case status, failed to respond to repeated requests for information and failed to inform clients of a change of address. Respondent also misappropriated funds and practiced law during his CA suspension. Respondent had severe drinking problem during the time misconduct occurred.</p>
<p>(By Judgment)</p>					

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Tocco, Alicia F.</u> 10/05/99 (By Order) DC No. 93-1768 SB-98-0056-D (By Opinion) 194 Ariz 453 984 P.2d 539</p>	<p>The Complaint alleged Respondent aided in fraudulent transfers, neglecting to list transactions that she knew about while acting as counsel for bankruptcy debtors, and suborning perjury or failing to correct mistaken testimony.</p>	<p>Dismissal</p>	<p>Censure & 2 years Probation</p>	<p>Petition for Review granted. Dismissal</p>	<p>Commission independently made additional findings. Under current rules, Commission reviews questions of law de novo and applies clearly erroneous standard. Commission did not have original jurisdiction.</p>
<p><u>Varbel, Duane N.</u> 06/11/99 DC Nos. 94-0317 94-2280 94-2425 95-0089 SB-99-0023-D (By Judgment)</p>	<p>Respondent used fictitious experts and their studies as a defense tactic in his representation of a criminal case, constituting false statements of "material facts," and offered no evidence to support theories. Respondent engaged in the unauthorized practice of law, failed to perform legal services and to return unearned retainers, made misrepresentations to clients and failed to respond to the State Bar inquiries.</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p><i>Sua sponte</i> review declined</p>	<p>Previously disciplined on six occasions. In aggravation: 9.22(a)(b)(c)(d)(g)(i); no mitigation present.</p>
	<p>ER 3.3(a)(1) ER 3.3(a)4 ER 3.4(e) ER 8.1(b) ER 8.4(c) ER 8.4(d) SCR 51(h)</p>				

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

Vargas, J. Bert

04/12/99
DC No. 96-0930
SB-99-0039-D

(By Judgment)

Respondent did not act with reasonable diligence or competence in representing his client and was unprepared for trial. Respondent was ignorant of the laws of Criminal Procedure and caused injury to his client in the form of a jury conviction.

ER 1.1 ER 1.3 ER 1.16
ER 8.4(d)

N/A

Accept Agreement for Censure and Probation for one (1) year + LOMAP, upon reinstatement.

Sua sponte review declined

In aggravation: 9.22(a)(h)(l); in mitigation: 9.32(b)(e)(g)(l). In addition, Respondent was also involved in various community and bar activities.

Walker, Frederick M.

11/01/99
DC No. 99-0658
SB-99-0075-D

(By Judgment)

Rule 58(c) Reciprocal Discipline; Sanction identical to discipline imposed by the state of California 10/23/97.

N/A

Disbarment

Sua sponte review declined

**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Walker, Patricia L.</u> 11/01/99 DC Nos. 95-1869 95-1990 96-0604 97-0699 98-0158 98-0164 SB-99-0074-D (By Judgment)</p>	<p>As the petitioner in a divorce proceeding, Respondent failed to comply with the court's order and was sanctioned. Respondent then filed a frivolous petition for the purposes of delay that contained erroneous statements and false evidence. In other matters Respondent failed to perform services for which she was retained; failed to provide competent representation; abide by client's decisions; to act with reasonable diligence and to expedite litigation; to keep clients reasonably informed of the status of their case or render a full accounting. Respondent engaged in conduct that caused harm to her clients and failed to respond to inquiries and to cooperate with the State Bar in the investigation of these matters.</p>	<p>Disbarment & Restitution</p>	<p>Disbarment & Restitution</p>	<p><i>Sua sponte</i> review declined</p>	<p>Conduct deemed admitted by default. In aggravation: 9.22(d)(e)(h); no mitigation.</p>																							
	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">ER 1.1</td> <td style="width: 33%;">ER 1.2</td> <td style="width: 33%;">ER 1.3</td> </tr> <tr> <td>ER 1.4</td> <td>ER 1.5</td> <td>ER 1.15</td> </tr> <tr> <td>ER 1.15(b)</td> <td>ER 1.16</td> <td>ER 1.16(b)</td> </tr> <tr> <td>ER 1.16(d)</td> <td>ER 1.8</td> <td>ER 3.1</td> </tr> <tr> <td>ER 3.2</td> <td>ER 3.4(a)</td> <td>ER 3.4(c)</td> </tr> <tr> <td>ER 8.1(b)</td> <td>ER 8.4(c)</td> <td>ER 8.4(d)</td> </tr> <tr> <td>SCR 44(b)(3)</td> <td>SCR 51(e)</td> <td>SCR 51(h)</td> </tr> <tr> <td>SCR 51(i)</td> <td>SCR 51(k)</td> <td></td> </tr> </table>	ER 1.1	ER 1.2	ER 1.3	ER 1.4	ER 1.5	ER 1.15	ER 1.15(b)	ER 1.16	ER 1.16(b)	ER 1.16(d)	ER 1.8	ER 3.1	ER 3.2	ER 3.4(a)	ER 3.4(c)	ER 8.1(b)	ER 8.4(c)	ER 8.4(d)	SCR 44(b)(3)	SCR 51(e)	SCR 51(h)	SCR 51(i)	SCR 51(k)				
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**SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1999)**

<p><u>Winski, Brian R.</u> 09/29/99 DC Nos. 92-1705 SB-99-0070-D (By Judgment)</p>	<p>Respondent's mortgage application falsely stated income, purchase price and the amount and source of downpayment. Respondent also induced a friend to submit a false letter to the mortgage company misrepresenting the downpayment. Respondent falsely identified the remitter on the escrow check, falsely identified the seller of the home and set up a straw man. Respondent's wife forged the straw man's name on a check and signed it over to Respondent for the downpayment on the home. Respondent plead no contest to a criminal charge of forgery.</p>	<p>Suspension six (6) months</p>	<p>Suspension twelve (12) months</p>	<p><i>Sua sponte</i> review declined</p>	<p>In aggravation: 9.22 (b); in mitigation: 9.32(a)(d)(e)(g)(k)(l).</p>
	<p>ER 8.4(b) ER 8.4(c) SCR 57(a)</p>				