

# **Supreme Court Board of Legal Document Preparers**

Arizona Supreme Court Judicial Education Center  
541 East Van Buren, Suite B-4, Phoenix, Arizona 85004  
12:15 p.m. – 12:35 p.m.

## **December 4, 2006 Drafted Regular Session Meeting Minutes**

### **Members Present:**

Judge Roland Steinle  
Mary Carlton  
Dr. Roger Hartley  
Les Krambeal  
Vellia M. Piña  
J. Ward Sturm  
Nancy Swetnam  
Frank Costanzo  
Virlynn Tinnell  
Carol Wells

### **AOC Staff Present:**

Linda Grau  
Rhonda Simmons  
Nina Preston  
Kimberly Siddall  
Richard Sczerbicki  
Maryanne Baiza

### **Guests:**

Daniel Jurkowitz  
Arnold Knack  
Barbara Howes  
Cynthia Felton  
Kristina Fredericksen  
Terri Thomson Taylor  
Peggy Bartel  
Sheila Tickle  
Robin Fuller

## **CALL TO ORDER**

The regular session was called to order by Board Chair Judge Roland Steinle at 12:15 p.m.

### **1) REVIEW OF PENDING DISCIPLINARY ACTIONS**

*1-A: Review and discussion regarding Informal Settlement Conference in pending disciplinary actions involving Mohammed Riyad and MSB Legal Consultants, LLC.*

Division staff member Linda Grau reported a hearing on the Notice of Formal Charges previously issued and served to Mr. Riyad and his business entity, MSB Riyad Legal Consultants, LLC, in complaint numbers 04-L047 and 05-L072, is currently scheduled for Friday, December 8, 2006. Ms. Grau reported the Assistant Attorney General representing the Program, Christina Kinnear, received a Request for Informal Settlement Conference from Mr. Riyad's attorney the week prior to the meeting. Ms. Grau requested the Board discuss and determine whether to consider entering a Consent Agreement with Mr. Riyad to resolve the pending complaint actions.

Nancy Swetnam recused from discussion.

The Board discussed entering a Consent Agreement with Mr. Riyad and requested a staff recommendation regarding the minimum provisions for any offered Consent Agreement. Ms. Grau recommended the Board authorize Assistant Attorney General Kinnear to offer and enter

into an Agreement which includes the following minimum provisions based on the Proposed Disciplinary Sanctions stated by the Board in the Notice of Formal Charges:

- a) Admission of responsibility regarding the alleged violations;
- b) Revocation of Mr. Riyadh's individual certification and MSB's business entity certification;
- c) Issuance of a Cease and Desist Order enjoining Mr. Riyadh and MSB from preparing legal documents, representing themselves to the public as certified legal document preparers, or conducting any activity which constitutes the unauthorized practice of law;
- d) Order Mr. Riyadh and MSB to pay restitution to consumer Rasool Kashkool in the amount of \$1,100.00 and consumer Saida Yagobova in an amount to be submitted and approved by the Board;
- e) Assessment of investigative costs in the total amount of \$1,831.30 - \$1,164.69 in complaint number 04-L047 and \$666.81 in complaint number 05-L072;
- f) As conditions for future reinstatement, Mr. Riyadh and MSB be required to demonstrate compliance with the ordered restitution and assessed costs in these complaints and will be required to demonstrate compliance with the Stipulation to Settlement in District of Arizona Bankruptcy Court Adversarial Complaint number 05-00434-SSC.

Regarding the remaining Proposed Disciplinary Sanctions contained in the Notice of Formal Charges, Ms. Grau recommended the Board authorized Assistant Attorney General Kinnear to waive the imposition of civil penalties and the proposed 10 hours of additional continuing education.

The Board discussed the possible provisions of a Consent Agreement related to admission of responsibility, future imposition of continuing education requirements if reinstatement is sought, and waiving the proposed civil penalties and continuing education.

Ms. Virlynn Tinnell made a **motion** to authorize Assistant Attorney General Christina Kinnear to offer and enter into a Consent Agreement with Mr. Riyadh and MSB Riyadh Legal Consultants, LLC on behalf of the Board, with the offered agreement to contain the provisions recommended by division staff. Mary Carlton seconded the motion. Nancy Swetnam recused. Motion passed. **LDP-06-413.**

## **CALL TO THE PUBLIC**

No response.

J. Ward Sturm made a **motion** to adjourn the meeting. Dr. Roger Hartley seconded the motion. Motion passed. **LDP-06-414.**

The meeting ended at 12:34 p.m.

/lg