# BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

HARRIET HEMERLING, Bar No. 025533 PDJ-2015-9036

#### JUDGMENT OF DISBARMENT

[State Bar File Nos. 14-0562, 14-3353, 14-3665, 15-0176, and 15-0771]

Respondent.

**FILED MAY 4, 2015** 

Pursuant to Rule 57, Ariz. R. Sup. Ct., the Presiding Disciplinary Judge of the Supreme Court of Arizona has considered Respondent's Consent to Disbarment dated April 24, 2015, and filed herein. Accordingly:

**IT IS HEREBY ORDERED** accepting the consent to disbarment. Respondent, Harriet Hemerling, is hereby disbarred from the State Bar of Arizona and her name is hereby stricken from the roll of lawyers **effective immediately.** 

Respondent is no longer entitled to the rights and privileges of a lawyer but remains subject to the jurisdiction of the court. Respondent shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** that no further disciplinary action shall be taken in reference to the matters that are the subject of the charges upon which the consent to disbarment and this judgment of disbarment are based.

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IT IS FURTHER ORDERED that Respondent pay the costs and expenses of

the State Bar of Arizona in the amount of \$ 1,361.27.

**DATED** this 4th day of May, 2015.

William J. O'Neil

# William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing emailed this 4th day of May, 2015, to:

Harriet Hemerling 15020 N. 24th Pl. Phoenix, AZ 85032-4301 Email: hhemerling@gmail.com Respondent

Shauna R. Miller, Bar No. 015197 Senior Bar Counsel State Bar of Arizona 4201 N. 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266 Email: LRO@staff.azbar.org

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

by: <u>JAlbright</u>

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Shauna R. Miller, Bar No. 015197 Senior Bar Counsel State Bar of Arizona 4201 N. 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266 Telephone (602)340-7278 Email: LRO@staff.azbar.org

### BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

HARRIET HEMERLING Bar No. 025533 PDJ -- 2015-4036

**CONSENT TO DISBARMENT** 

Respondent.

State Bar File Nos. 14-0562, 14-3353, 14-3665, 15-0176, and 15-0771

I, Harriet Hemerling, residing at 15020 N. 24th Pl., Phoenix, AZ 85032-4301, pursuant to Rule 57(a)(5), Ariz.R.Sup.Ct., voluntarily consent to disbarment as a member of the State Bar of Arizona and consent to the removal of my name from the roster of those permitted to practice before this court, and from the roster of the State Bar of Arizona.

I acknowledge that Probable Cause Orders have been issued in file nos. 14-0562, 14-3353, 14-3665, and that file nos. 15-0176, and 15-0771 are pending investigation. I have read the charges made against me. I further acknowledge that I do not desire to contest or defend the charges, but wish to consent to disbarment. I have been advised of and have had an opportunity to exercise my right to be represented in this matter by a lawyer. I consent to disbarment freely and voluntarily and not under coercion or intimidation. I am aware of the rules of the Supreme Court with respect to discipline, disability, resignation and reinstatement, and I understand that any future

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application by me for admission or reinstatement as a member of the State Bar of Arizona will be treated as an application by a member who has been disbarred for professional misconduct, as set forth in the charges made against me. The misconduct of which I am accused is described in the charges bearing the numbers referenced above, a copy of which is attached hereto as Exhibit A (Factual Basis for Consent to Disbarment).

I acknowledge that the State Bar has incurred costs in this matter that will need to be paid before I can be reinstated. The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit B.

A proposed form of Judgment of Disbarment is attached hereto as Exhibit C.

DONE AT Phoening, Arizona, on apr , 2015.

everling\_ Harriet Hemerling Respondent

SUBSCRIBED AND SWORN TO before me this 24 day of April 2015, by

Harriet Hemerling, who satisfactorily proved her identity to me.

Volonado

**TERI ANN BALDONADO** Notary Public - Arizona Maricopa County Comm. Expires Mar 15, 2018

Notary Public

My Commission expires: March 15, 2018

Approved as to form:

Strauna R. Miller

Senior Bar Counsel

Original filed with the Disciplinary Clerk of the Office of the Presiding Disciplinary Judge of the Supreme Court of Arizona this 2-1 day of April, 2015.

Copies of the foregoing emailed this 27 day of April, 2015, to:

William J. O'Neil Presiding Disciplinary Judge Supreme Court of Arizona Email: <u>officepdj@courts.az.gov</u>

Harriet Hemerling 15020 N. 24th Pl. Phoenix, AZ 85032-4301 hhemerling@gmail.com Respondent

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

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# EXHIBIT A

#### STATEMENT OF FACTS

#### COUNT ONE (File No. 14-0562/Curtis)

- 1. It appears that the "Perel Law Firm" was set up by Lauren Bradshaw, aka Kamese Rasheed, aka Wendy Bryant (Bradshaw), who pled guilty in January 2011 to facilitation to commit fraudulent schemes and artifices and criminal impersonation, among other crimes. The State Bar has alleged that Bradshaw was helped with the set up and runnign of the firm by Respondent Hemerling, a suspended Arizona lawyer, and Larry "LJ" Sommers who incorporated the law firm.
- 2. The Perel Law Firm LLC was incorporated in Maricopa County on August 28, 2012. LJ Sommers is listed as the manager, the statutory agent, and as a member. Martin Perel was added as a member on September 28, 2012.
- 3. Respondent Hemerling began working at the Perel Law Firm on July 23, 2012.
- 4. Around February 2014, Complainant was hired by the Perel Law Firm after interviewing with Respondent Hemerling. He thought that Respondent Hemerling was the attorney in charge of the firm.
- 5. After working there for about three weeks, he noticed that there seemed to be many contract lawyers who came and went, but only he and another new attorney were "onsite" attorneys.
- 6. He found out on February 12, 2014, that Respondent Hemerling was actually a suspended lawyer. He quit his job the following day and reported the incident to the State Bar.
- 7. Complainant says that Respondent Hemerling met with a client while he was present and explained what a deficiency judgment is and the pros and cons of filing bankruptcy or having a repossession on a credit report.
- 8. Complainant says another time he met with Respondent Hemerling and a non-English speaking client in Respondent's office, where she had her law degree hanging on the wall.
- 9. Another time, while reviewing some files with Respondent Hemerling, Lauren, the marketing director, told Respondent that a client was there and that she [Lauren] would do the intake.
- 10. Complainant says the only attorneys in the office where him and another gentleman, who had been hired just the week before. There were contract attorneys who would occasionally stop in, but none of them had an office there.
- 11. Complainant says he has never met or spoken to Martin Perel and Respondent Hemerling was the person supervising his work.
- 12. The staff investigator interviewed approximately 21 people connected to the Perel Law Firm. Most of those interviewed agreed that Respondent Hemerling was one of the people in charge of the law firm, the other being Bradshaw, and that most of them thought Respondent Hemerling was a practicing attorney, either by the way she acted or because she told them she was.

- 13. During the State Bar's investigation the information below was obtained.
- 14. Respondent Hemerling or Bradshaw assigned cases to James Schollian(Schollian), a contract attorney who later became the managing attorney for the firm. Schollian would give Hemerling and Bradshaw the fees paid by clients and in return he was paid \$2,000.00 a month to be the managing attorney. He also received a percentage from every case he completed.
- 15. On May 19, 2014, Bar counsel's assistant called Martin Perel (Perel) and learned that;
  - a. Perel is a California attorney who lives at an assisted living facility in Las Vegas, Nevada.
  - b. Perel has Parkinson's' Disease and is assisted daily by a care giver named Stephanie Moore.
  - c. Perel does not have a law office anywhere, let alone in Phoenix.
- 16. To make sure that Perel is who he says he is, bar counsel asked Nevada bar counsel Phil Pattee to visit him. Mr. Pattee and one of his staff investigators visited Respondent Perel at the Las Vegas assisted care facility. Mr. Pattee says that Perel is "wheelchair bound" and was not making any trips to Arizona. He provided pictures of Perel's expired California driver's license, his California bar card, his AARP card, and his expired Paratransit card that indicates he travels with a personal care attendant. The man in the photo is the same man Schollian identified during his deposition.

#### Summary of Rule Violations alleged by the State Bar:

ER 5.5: Respondent Hemerling is a suspended lawyer who is running a law office with a non-lawyer and is currently practicing law.

ER 8.1(a) and 8.4(c): Respondent Hemerling lied to clients and employees about her states as an attorney. She lied to the State Bar about her conduct while employed at the Martin Perel Law Firm.

# COUNT TWO (14-3353/State Bar of Arizona)

- 20. On April 15, 2014, Respondent Hemerling was arrested in Phoenix, Arizona for Driving Under the Influence ("DUI"), aggravated DUI (suspended license), aggravated DUI (third within 84 months), and misdemeanor warrant.
- 21. Respondent Hemerling's Blood Alcohol Concentration ("B.A.C.") was 0.219.
- 22. On April 15, 2014, Respondent Hemerling was observed by Officer Lisa Fisher (fka Brookins), after she pulled out of a private drive on to a public street without stopping or pausing at the exit of the private drive.
- 23. Officer Fischer was initially in front of Respondent Hemerling and saw the cars' headlights slalom from side-to-side. She slowed down to get behind Respondent Hemerling and says that Respondent's car was markedly swaying from side to side in the lane she was in, and occasionally crossed over to the adjacent lane.

- 24. Officer Fischer activated her lights and siren to pull Respondent Hemerling over, and although she slowed some, she failed to pull over. Respondent Hemerling made a slow turn onto another street and Officer Fisher "chirped" her siren again. At that time, Respondent pulled into a parking lot.
- 25. Officer Fisher says that the interior of the car smelled like alcohol and Respondent Hemerling's eyes were bloodshot and watery. She had a hard time finding her driver's license, and when she did Officer Fisher confirmed that her driver's license was revoked.
- 26. Respondent Hemerling refused to perform any standardized field sobriety tests, but Officer Fisher says her balance was poor and her speech was slurred. She did, however, cooperate with a blood draw.
- 27. Respondent Hemerling has had two prior DUI's, one conviction was in June 2009 and the other was November 2010.
- 28. On November 20, 2014, Respondent Hemerling was sent a charging letter asking her to explain her current DUI charge. On December 9, 2014, she requested an extension to file her response, which was granted. The new due date was December 22, 2014.
- 29. Respondent Hemerling then asked to meet with bar counsel and a meeting was scheduled for December 10, 2013. Respondent later emailed that she could not attend because her child was ill and the meeting was rescheduled to January 6, 2015.
- 30. On December 30, 2014, Respondent Hemerling was sent a non-response letter for failing to respond in writing by the December 22, 2014, deadline. She was given until January 10, 2015, to provide her written response.
- 31. On January 6, 2015, Respondent Hemerling emailed that she was not able to attend the meeting with bar counsel that day due to transportation issues.

#### Summary of Rule Violations alleged by the State Bar:

<u>ER 8.4(b)</u>(criminal act) Respondent has violated ER 8.4(b) by driving while under the influence on a suspended license and within 84 months of two previous DUI's.

<u>ER 8.1(b)</u>(knowingly failing to respond to a lawful demand for information from the State Bar). Respondent knew when her response was due and failed to file it on time. R

<u>Rule 54(d)</u>(failure to respond promptly to the State Bar's request for information). Respondent has failed to timely respond to the State Bars' request for information.

#### COUNT THREE (File No. 3665/Solo)

- 32. In February 2014, Complainant went to the Perel Law Firm for a free consultation in connection with his desire to change his immigration status from legal permanent to citizen. Respondent Hemerling was assigned to represent Complainant.
- 33. On February 11, 2014, he met with Respondent Hemerling to give her the filing fee and his US Citizenship application. He also provided her with two money orders, one

for \$595 and one for \$85. The money orders were made out to the US Department of Homeland Security. These were to cover the costs of submitting the petition and for a background check. The attorneys' fees were a flat fee of \$1,800, and at the time of retention he gave Respondent Hemerling \$60 down payment.

- 34. Complainant called Respondent Hemerling three times after he hired the firm and she told him they would have a status report for him by September 15, 2014.
- 35. Respondent Hemerling called Complainant on September 18, 2014, and said she would call the US Citizenship and Immigration Service (USCIS) and find out what happened with his petition.
- 36. Since Complainant had not heard from Respondent Hemerling, he went to the firm's offices in the first week of November 2014. He met with William Schnebly who told him that the Perel Law Firm had been a sham and had been closed down.
- 37. Mr. Schnebly contacted the US Citizenship and Immigration Service (USCIS) and was told that no application had been received.
- 38. Complainant got copies of the money orders that Respondent Hemerling had cashed and provided them to the State Bar (Respondent had added her name to the front of the money orders). Complainant also reported the theft to the Phoenix Police Department.
- 39. On January 8, 2015, Respondent Hemerling was sent a charging letter asking her to respond to Complainant's allegations. Respondent's response was due January 19, 2015. The State Bar did not receive a response.

#### Summary of Rule Violations alleged by the State Bar:

ER 5.5(a)(unauthorized practice of law). Respondent has been practicing law while suspended.

ER 8.4(b)(criminal conduct). Respondent signed and cashed the two money orders that Complainant gave her for the costs associated with his case.

<u>ER 8.1(b)</u>(knowingly failing to respond to a lawful demand for information from the State Bar). Respondent knew when her response was due and failed to file it on time.

<u>Rule 54(d)</u>(failure to respond promptly to the State Bar's request for information). Respondent has failed to timely respond to the State Bars' request for information.

### COUNT FOUR (File No. 15-0176/Velazquez)

- 40. Before Respondent Hemerling worked/setup the Martin Perel Law firm, she worked for United Immigration Services (UIS).
- 41. On February 23, 2012, Complainant retained UIS to assist him with an immigration matter. Complainant retained UIS because they promised to obtain a U visa for him and "fix" his wife and sons' status in the U.S. Complainant signed a fee agreement and paid UIS \$5,000 and had receipts evidencing same.

- 42. Complainant met with Respondent Hemerling and she told him that she was doing everything and that she was dedicated to helping him.
- 43. Complainant says that everyone referred to Respondent Hemerling as "attorney."
- 44. About one year after retaining UIS for the immigration matter, Complainant retained the firm for a DUI matter. Respondent Hemerling represented Complainant for that matter as well, but she never appeared in court with him and always sent her assistant.
- 45. Complainant says that UIS was supposed to fight for him to stay out of jail, but he spent one week in jail for the DUI. After the one week in jail, Complainant was remanded to the custody of immigration. Complainant says that Respondent Hemerling wanted him to pay an additional \$2,000 so that they could assist with his bond; however, he did not want to pay, so he got other assistance with the paperwork and he was released after paying a \$2,500 bond.
- 46. Sometime in 2014, about two years after Complainant retained the firm, UIS changed names and became Hudson & Associates. Then shortly after that, the firm changed its name again to Martin Perel. Complainant says that Respondent Hemerling had her own desk at the new office.
- 47. Complainant reported that around August or September 2014, he had an appointment and met with Respondent Hemerling at the office. Complainant stated that Respondent told him that everything was fine and that he had to wait for a reply in reference to his visa. Respondent Hemerling explained to him that only a certain number of visas are issued each year; therefore, he had to wait for his to be issued. Respondent Hemerling also told him that he could retain the firm again for an additional \$3,500 for a waiver and to nullify the upcoming possible deportation. Complainant told Respondent Hemerling that he did not have any money.
- 48. After meeting with Respondent Hemerling, Complainant tried to locate online information on his case and was unable to. He then called immigration who informed him that his case had been denied. Immigration would not give him any other information.
- 49. Complainant stated that he did not know the status of his immigration case. He stated that all that he knew was that his visa had been denied and that he had a hearing scheduled for 2016. Complainant indicated that he did not know if he would be deported at that time. Complainant has not retained a new attorney.
- 50. On February 3, 2015, the State Bar sent a charging letter to Respondent Hemerling requesting her response to Complainant's allegations. On February 23, 2015, Respondent asked for and was granted an extension of time to file her response. Her response was then due on March 2, 2015. Respondent failed to respond by March 2, 2015.

#### Summary of Rule Violations alleged by the State Bar:

ER 5.5(a) (unauthorized practice of law). Respondent has been practicing law while suspended.

<u>ER 8.1(b)</u>(knowingly failing to respond to a lawful demand for information from the State Bar). Respondent knew when her response was due and failed to file it on time.

<u>Rule 54(d)</u>(failure to respond promptly to the State Bar's request for information). Respondent has failed to timely respond to the State Bars' request for information.

#### COUNT FIVE (15-0771/Orona)

- 51. On March 25, 2015, the State Bar received a charge from Complainant. Complainant and her husband hired the Martin Perel Law Firm in the beginning of 2014. They paid the firm \$2,200 to provide husband with services related to his immigration status.
- 52. Complainant says the firm did some work, but it was very hard to get ahold of anyone at the office or receive a call back.
- 53. Complainant says things got a lot worse in September 2014. Complainant would email and call many times, but she would not get any response.
- 54. Complainant says that she communicated with Respondent Hemerling up until October 15, 2014, and never heard from her again.
- 55. Complainant says she helped her husband process his NVC application, even though they had paid the Perel Law Firm in full to provide that service.
- 56. On March 26, 2015, he State Bar sent a charging letter to Respondent Hemerling requesting her response to Complainant's allegations. Her response is due on April 15, 2015. On April 3, 2015, Respondent Hemerling agreed to consent to disbarment, acknowledging that she does not desire to contest or defend against the charges.

# EXHIBIT B

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#### Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona, Harriet Hemerling, Bar No. 025533, Respondent

File No(s). 14-0562, 14-0716, 14-3353, 14-3665, and 15-0771

#### Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

# *General Administrative Expenses for above-numbered proceedings*

#### \$1,200.00

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

#### Staff Investigator/Miscellaneous Charges

11/07/14 01/20/15	Mileage and parking to Phoenix PD to obtain documents Alliance Reporting, deposition of Respondent	\$ \$	4.42 156.85
Total for staff investigator charges			161.27
TOTAL COST	<u>\$ 1</u>	.,361.27	

4-13-15

Date

Sandra E. Montoya Lawyer Regulation Records Manager

# EXHIBIT C

#### BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

HARRIET HEMERLING, Bar No. 025533, PDJ \_\_\_\_\_

#### JUDGMENT OF DISBARMENT

Respondent.

State Bar File Nos. 14-0562, 14-3353, 14-3665, 15-0176, and 15-0771

Pursuant to Rule 57, Ariz. R. Sup. Ct., the undersigned Presiding Disciplinary Judge of the Supreme Court of Arizona has considered Respondent's Consent to Disbarment dated April 21, 2015, and filed herein. Accordingly:

**IT IS HEREBY ORDERED** accepting the consent to disbarment. Respondent, Harriet Hemerling, is hereby disbarred from the State Bar of Arizona and her name is hereby stricken from the roll of lawyers **effective immediately**.

Respondent is no longer entitled to the rights and privileges of a lawyer but remains subject to the jurisdiction of the court. Respondent shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** that no further disciplinary action shall be taken in reference to the matters that are the subject of the charges upon which the consent to disbarment and this judgment of disbarment are based.

**IT IS FURTHER ORDERED** that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ 1,361.27.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

William J. O'Neil, Presiding Disciplinary Judge

Original filed with the Disciplinary Clerk of the Office of the Presiding Disciplinary Judge of the Supreme Court of Arizona this \_\_\_\_\_ day of April, 2015.

Copies of the foregoing emailed this \_\_\_\_\_ day of April, 2015, to:

William J. O'Neil Presiding Disciplinary Judge Supreme Court of Arizona Email: <u>officepdj@courts.az.gov</u> <u>Ihopkins@courts.az.gov</u>

Harriet Hemerling 15020 N. 24th Pl. Phoenix, AZ 85032-4301 hhemerling@gmail.com Respondent

Shauna R. Miller, Bar No. 015197 Senior Bar Counsel State Bar of Arizona 4201 N. 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266 Email: LRO@staff.azbar.org

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

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by:\_\_\_\_\_

#### BEFORE THE ATTORNEY DISCIPLINE PROBABLE CAUSE COMMITTEE OF THE SUPREME COURT OF ARIZONA



## IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

No. 14-0562

#### HARRIET HEMERLING Bar No. 025533

# **PROBABLE CAUSE ORDER**

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on November 14, 2014, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of  $7-0-2^1$ , the Committee finds probable cause exists to file a complaint against Respondent in File No. 14-0562.

**IT IS THEREFORE ORDERED** pursuant to Rules 55(c) and 58(a), Ariz. R. Sup. Ct., authorizing the State Bar Counsel to prepare and file a complaint with the Disciplinary Clerk.

Parties may not file motions for reconsideration of this Order.

**DATED** this 2% day of November, 2014.

Fannunce F. La

Judge Lawrence F. Winthrop, Chair Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona

<sup>&</sup>lt;sup>1</sup> Committee members Karen E. Osborne and Jeffrey G. Pollitt did not participate in this matter.

Original filed this 24 day of November, 2014 with:

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

Copy mailed this  $2n^{1}$  day of December, 2014, to:

Harriet Hemerling 15020 North 24<sup>th</sup> Place Phoenix, Arizona 85032-4301 Respondent

Copy emailed this  $2^{1}$  day of December, 2014, to:

Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona 1501 West Washington Street, Suite 104 Phoenix, Arizona 85007 E-mail: <u>ProbableCauseComm@courts.az.gov</u>

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

#### BEFORE THE ATTORNEY DISCIPLINE PROBABLE CAUSE COMMITTEE OF THE SUPREME COURT OF ARIZONA

MAR 04 2015 STATE BAR OF ARIZ

### IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

# PROBABLE CAUSE ORDER

No. 14-3353

# HARRIET HEMERLING Bar No. 025533

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on February 20, 2015, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of  $6-0-3^1$ , the Committee finds probable cause exists to file a complaint against Respondent in File No. 14-3353.

**IT IS THEREFORE ORDERED** pursuant to Rules 55(c) and 58(a), Ariz. R. Sup. Ct., authorizing the State Bar Counsel to prepare and file a complaint with the Disciplinary Clerk.

Parties may not file motions for reconsideration of this Order.

**DATED** this 3 day of March, 2015.

Farme

Judge Lawrence F. Winthrop, Chair Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona

<sup>&</sup>lt;sup>1</sup> Committee members Ella G. Johnson, Ben Harrison and Donald G. Manring did not participate in this matter.

Original filed this 44h day of March, 2015, with:

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

Copy mailed this  $\underline{5}^{\text{M}}$  day of March, 2015, to:

Harriet Hemerling 15020 North 24<sup>th</sup> Place Phoenix, Arizona 85032-4301 Respondent

Copy emailed this  $5^{\text{th}}$  day of March, 2015, to:

Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona 1501 West Washington Street, Suite 104 Phoenix, Arizona 85007 E-mail: <u>ProbableCauseComm@courts.az.gov</u>

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

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#### BEFORE THE ATTORNEY DISCIPLINE PROBABLE CAUSE COMMITTEE OF THE SUPREME COURT OF ARIZONA

MAR 04 2015 STATE BAR OF

# IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA,

No. 14-3665

# PROBABLE CAUSE ORDER

HARRIET HEMERLING Bar No. 025533

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on February 20, 2015, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of  $6-0-3^1$ , the Committee finds probable cause exists to file a complaint against Respondent in File No. 14-3665.

IT IS THEREFORE ORDERED pursuant to Rules 55(c) and 58(a), Ariz. R.

Sup. Ct., authorizing the State Bar Counsel to prepare and file a complaint with the Disciplinary Clerk.

Parties may not file motions for reconsideration of this Order.

**DATED** this <u>3</u> day of March, 2015.

Judge Lawrence F. Winthrop, Chair Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona

<sup>&</sup>lt;sup>1</sup> Committee members Ella G. Johnson, Ben Harrison and Donald G. Manring did not participate in this matter.

Original filed this  $\frac{44h}{100}$  day of March, 2015 with:

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

Copy mailed this  $5^{4}$  day of March, 2015, to:

Harriet Hemerling 15020 North 24<sup>th</sup> Place Phoenix, Arizona 85032-4301 Respondent

Copy emailed this the day of March, 2015, to:

Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona 1501 West Washington Street, Suite 104 Phoenix, Arizona 85007 E-mail: <u>ProbableCauseComm@courts.az.gov</u>

Lawyer Regulation Records Manager State Bar of Arizona 4201 North 24<sup>th</sup> Street, Suite 100 Phoenix, Arizona 85016-6266

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