

In the Matter of D. John Musselman, Bar No.: 013621, PDJ 2012-9014 effective April 24, 2012. *Attorney Suspended, Probation and Costs imposed.*

Pursuant to Rule 57(a)(4)(A), Ariz.R.Sup.Ct., the PDJ approved the Agreement for Discipline by Consent submitted by the parties and suspended D. John Musselman for three (3) years. Upon reinstatement, Respondent Musselman shall be placed on probation for two years with terms and conditions to be determined at the time of reinstatement. Respondent is further assessed the costs and expenses of these disciplinary proceedings.

Respondent knowingly engaged in the practice of law while suspended by preparing documents and negotiating on behalf of debtors in a bankruptcy proceeding. His misconduct caused potential injury to the debtors, the legal system and the public.

Aggravating factors: prior disciplinary offenses and a pattern of misconduct.

Mitigating factors: personal or emotional problems, full and free disclosure to disciplinary board and cooperative attitude toward proceedings and remoteness of prior offenses.

Respondent violated Rule 42, Ariz. R. Sup. Ct., specifically, ER 5.5(a).

The agreement is accepted and costs awarded in the amount of \$1,285.95.00. The proposed final judgment and order is reviewed, approved and signed.