

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER OF  
THE STATE BAR OF ARIZONA**

**NATHAN BROWN  
Bar No. 033482,  
  
Respondent.**

**PDJ 2025-9008**

**FINAL JUDGMENT AND ORDER**

[State Bar No. 24-0669, 24-0749, 24-0899,  
and 24-2716]

**FILED AUGUST 11, 2025**

The Presiding Disciplinary Judge having accepted the parties' Agreement for Discipline by Consent ("Agreement") submitted pursuant to Rule 57(a), Ariz. R. Sup. Ct.,

**IT IS ORDERED** that **NATHAN BROWN, Bar No. 033482**, is reprimanded for his for his conduct in violation of the Arizona Rules of Professional Conduct and Rules of the Supreme Court of Arizona, as set forth in the Agreement documents.

**IT IS FURTHER ORDERED** placing Respondent on probation for a period of (2) years. The terms of probation shall include:

1. For any intellectual property litigation in Arizona District Court for which Respondent serves as counsel:
  - a. Respondent will have a practice monitor review any court filings for the types of issues that form the basis of this disciplinary matter and advise respondent on how to remain in compliance with his ethical and professionalism obligations.
  - b. The practice monitor the State Bar has approved is Donald Wilson Jr.

- Any changes in practice monitors must be approved by the State Bar.
2. For any litigation matter other than intellectual property litigation, Respondent will not appear as counsel of record without experience co-counsel appearing as counsel of record and actively participating in the matter.
    - a. The Arizona Court of Appeals case, *Iqtunheimr LLC v. Val Vista Lakes Community Ass'n*, Case No. 1 CA-CV 25-0095, is exempted<sup>1</sup> from this requirement while it remains on appeal.
      - If the matter is remanded to the trial court for further proceedings, this requirement will apply.
  3. Respondent shall not commit any further violations of the Rules of Professional Conduct.

**IT IS FURTHER ORDERED** that Respondent shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,475.00 within 30 days. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in these proceedings.

**DATED** this 11<sup>th</sup> day of August, 2025.

Lisa A. VandenBerg  
**Hon. Lisa A. VandenBerg**  
**Presiding Disciplinary Judge**

---

<sup>1</sup> While the Agreement used the term “excepted”, the PDJ found that the parties intent was to use “exempted”.

Copy of the foregoing emailed  
this 11<sup>th</sup> day of August, 2025, to:

Kelly A. Goldstein  
[LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

Donald Wilson, Jr.  
[dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

by: KStevenson

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

**IN THE MATTER OF A MEMBER OF THE  
STATE BAR OF ARIZONA**

**NATHAN BROWN  
Bar No. 033482,**

**Respondent.**

**PDJ 2025-9008**

**ORDER ACCEPTING  
AGREEMENT FOR DISCIPLINE  
BY CONSENT**

[State Bar Nos. 24-0669, 24-0749, 24-0899, and 24-2716]

**FILED AUGUST 11, 2025**

On August 7, 2025, the parties filed an Agreement for Discipline by Consent (“Agreement”) pursuant to Rule 57(a), Ariz. R. Sup. Ct. The State Bar of Arizona is represented by Staff Bar Counsel Kelly A. Goldstein. Respondent Nathan Brown is represented by Counsel Donald Wilson, Jr. The Agreement seeks to address the State Bar’s Formal Complaint filed February 4, 2025 (“Complaint”) referencing State Bar Nos. 24-0669, 24-0749, 24-0899, and 24-2716.<sup>1</sup>

Contingent upon approval of the proposed form of discipline, Respondent voluntarily waives his right to an adjudicatory hearing, as well as all motions, defenses, objections, or requests that could be asserted. Pursuant to Rule 53(c)(3), Ariz. R. Sup. Ct., the State Bar provided Written Notice of the Agreement and an opportunity to file a written objection to the Complainants in File Nos. 24-0669, 24-0749 and 24-0899 on July 9, 2025, and to Complainant in File No. 24-2716 on July 14, 2025. The Presiding

---

<sup>1</sup> The Attorney Discipline Probable Cause Committee (“ADPCC”) entered an order of probable cause on December 19, 2024.

Disciplinary Judge (“PDJ”) was not provided with any objections prior to the date of this Order.

The Agreement details a factual basis in support of Respondent’s conditional admissions and is incorporated by reference.<sup>2</sup> Respondent Nathan Brown conditionally admits his conduct violated Rule 41(b)(7), Ariz. R. Sup. Ct., and Rule 42, specifically ER 3.1, ER 3.2, ER 8.4(d), Ariz. R. Sup. Ct. As a sanction, the parties agree to Reprimand with Probation.

As part of the Agreement, the State Bar dismisses the violation allegations regarding Rule 42, Ariz. R. Sup. Ct., ER 3.4(d) and ER 4.4(a).

Generally speaking, the ethical issues arose when Respondent Brown practiced unprofessional conduct at multiple points in the course of his representation of defendants in a defamation action involving a residential community. The unprofessional conduct included such things as: referring to the plaintiffs as “MEAN GIRLS” in the introduction of a change of venue pleading; alleging in the pleadings that members of the community, not involved in the litigation, had committed crimes of a sexual nature including child molestation; filed various pleadings without a good faith basis in fact or law; and derisive in pleadings and communications with opposing counsel regarding their clients and counsel.

Sanctions imposed against lawyers “shall be determined in accordance with the American Bar Association’s *Standards for Imposing Lawyer Sanctions*” (“ABA

---

<sup>2</sup> See Rule 57(a), Ariz. R. Sup. Ct.

Standards”). Rule 58(k), Ariz. R. Sup. Ct. In reviewing this Agreement, the PDJ has considered the duties violated, the lawyer’s mental state, the actual or potential injury caused by the misconduct, and the existence of aggravating and mitigating factors.

The parties agree that Respondent Brown knew that certain aspects of his conduct were unprofessional. Respondent’s remaining conduct was negligent. There was actual harm caused to the profession, the legal system, and the public.

The Agreement relies on ABA Standards 6.2, 7.2, and 7.3 as applicable. Standards 6.2 and 7.3 calls for reprimand as the presumptive sanction, and Standard 7.2 calls for suspension as the presumptive sanction.

The parties stipulate to multiple offenses as an aggravating factor. The parties stipulate to six mitigating factors: (1) absence of a prior disciplinary record; (2) absence of a dishonest or selfish motive; (3) cooperative attitude toward disciplinary proceedings; (4) inexperience in the practice of law<sup>3</sup>; (5) imposition of other penalties or sanctions; and (6) remorse.

After reviewing the matters presented, the PDJ concludes that the Agreement adequately achieves the recognized purposes of the lawyer discipline process.

---

<sup>3</sup> Respondent was licensed to practice law in Arizona on January 18, 2017 (practicing primarily in intellectual property litigation, not general civil litigation).

**IT IS ORDERED** accepting the Agreement for Discipline by Consent. A final judgment and order is separately filed this date.

**DATED** this 11<sup>th</sup> day of August, 2025.

Lisa A. VandenBerg  
**Hon. Lisa A. VandenBerg**  
**Presiding Disciplinary Judge**

Copy of the foregoing e-mailed  
this 11<sup>th</sup> day of August, 2025 to:

Kelly A. Goldstein  
[LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

Donald Wilson, Jr.  
[dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

by: KStevenson



Kelly A. Goldstein, Bar No. 025578  
Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602) 340-7386  
Email: LRO@staff.azbar.org

Donald Wilson, Jr., Bar No. 005205  
Broening Oberg Woods & Wilson PC  
2800 N Central Ave, Ste 1600  
Phoenix, AZ 85004-1047  
Telephone 602-271-7705  
Email: dwj@bowwlaw.com  
Respondent's Counsel

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**NATHAN BROWN,  
Bar No. 033482,**

Respondent.

**PDJ 2025-9008**

**AGREEMENT FOR DISCIPLINE  
BY CONSENT**

State Bar File Nos. 24-0669, 24-0749,  
24-0899, 24-2716

The State Bar of Arizona and Respondent Nathan Brown, who is represented in this matter by Donald Wilson, Jr., submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct.

A probable cause order was entered on December 19, 2024. A formal complaint was filed on February 4, 2025. Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses,

objections, or requests which have been made or raised, or could be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

Pursuant to Rule 53(c)(3), Ariz. R. Sup. Ct., written notice of this agreement was provided to Complainants in File Nos. 24-0669, 24-0749 and 24-0899 on July 9, 2025, and to Complainant in File No. 24-2716 on July 14, 2025. All notices to Complainants provided notice of the opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. The State Bar has not received any objections.

Respondent conditionally admits that his conduct, as set forth below, violated Ariz. R. Sup. Ct. 41(b)(7), and Ariz. R. Sup. Ct. 42, ER 3.1, ER 3.2, and ER 8.4(d). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: **Reprimand with Probation**, the terms of which are set forth below. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order. If costs are not paid within the 30 days, interest will begin to accrue at the legal rate.<sup>1</sup> The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

---

<sup>1</sup> Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

## FACTS

### GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on January 18, 2017.
2. This matter arises out of disputes among members of the Val Vista Lakes Community Association (the “Val Vista HOA”) and its Board.

### COUNT ONE (File No. 24-0749/Johnson)

3. In August of 2020, Complainant Marcianne Johnson and others filed a complaint in Maricopa County Superior Court, Case No. CV2020-010557, naming as defendants more than a dozen current or former members of the Val Vista HOA, and alleging defamation and other claims (the “Defamation Action”).
4. Respondent represented several defendants in the Defamation Action.
5. On October 6, 2020, Respondent moved to have the venue of the Defamation Action transferred to the Southeast Regional Court.
6. In his motion to change venue, Respondent’s introduction of the parties included the following:

To best understand the parties involved, one should watch the blockbuster movie, MEAN GIRLS, from 2004. While many times art imitates life, this seems to be the situation where life imitates art. Unfortunately, like in the MEAN GIRLS movie, rumors and mean things have percolated through the ~~high school~~, community. Like in the movie, the Court will find that the MEAN GIRLS and their desire to hold onto power, in the ~~high school~~ community, are the unsavory reasons for the rumors....

7. In the argument portion of the motion to change venue, Respondent made allegations about a “member of the community who is a serial child molester,” making various allegations about the individual and attaching, as an exhibit, almost 60 pages of Gilbert Police records from 2012 that relate to someone who was not a party to the litigation.

8. Respondent did not have a good faith basis in fact or law for all of the motion to change venue.

9. In the order denying Respondent’s motion to change venue, the court noted that the motion included ad hominem accusations.

10. On September 16, 2022, Respondent replied to settlement offers in the Defamation Action by stating that he would convey the offers to his clients, and including the following additional statements to opposing counsel:

a. “We only wish that your Clients loved their families more than they hate the good people of [Val Vista Lakes].”

b. “We only wish they had grandchildren they would rather play with than spend their time prosecuting frivolous and vindictive lawsuits.”

c. “We’re sure that being the kind and deeply religious person [Respondent’s client] is, she is praying for your Clients and their attorneys, praying that good will triumph in your hearts.”

d. “If your clients were good people and did honest and selfless things, they would not be in this position. Their banana republic [sic] mentality is rare and unfortunate... There is no place for their thirst for power and years of hate. They need responsible and mature adults in their lives.”

11. On February 1, 2023, the plaintiffs in the Defamation Action filed an Amended Application for Order to Show Cause seeking sanctions and other remedies against Respondent and/or his clients based on several matters, including the allegedly “abusive, derisive, and unethical manner in which [Respondent] has proceeded in this matter.”

12. On February 13, 2023, Respondent filed a Response to Plaintiffs’ Amended Application for Order to Show Cause.

13. In the Response to Plaintiffs’ Amended Application for Order to Show Cause, Respondent:

a. Included a picture of a non-party that Respondent referred to as “[a]nother [Val Vista Lakes] Mormon Bishop(ric) found guilty of sexual improprieties”; and

b. Asked that “the Court consider perjury charges against Marcianne Johnson ... [o]r at least understand why the Val Vista Lakes community gave her the nickname of Pinocchio.”

14. Respondent attached to the Response an affidavit he executed on February 13, 2023. Respondent's February 13, 2023 affidavit contained several irrelevant personal attacks, including:

- a. Stating that Johnson "had put on a lot of weight";
- b. Repeatedly referring to Johnson as "large";
- c. Describing an outfit Johnson wore as "what is best described as Thanksgiving meal clothes";
- d. Referring to Johnson's husband's role in the Mormon Church;  
and
- e. Stating that Johnson's husband's status with the State Bar was retired, which Respondent stated he assumed was because "word got around" about Respondent having reported Johnson's husband to the State Bar.

15. The statements quoted and referred to above from Respondent's filings in the Defamation Action are not the only instances in which Respondent made irrelevant accusations and ad hominem attacks against the plaintiffs and others.

16. On August 8, 2023, the court awarded some attorneys' fees and costs to three of Respondent's clients, but reduced the fees Respondent had requested for the defendant James Schmidt, finding that the requested fees were excessive, and that "the pleadings filed by Defendant James Schmidt contained *ad hominem* attacks that are inappropriate in court pleadings."

17. On March 1, 2024, following a deposition of Johnson in Maricopa County Superior Court Case No. CV2023-091596, Respondent emailed her attorney a “personal note,” which included the statement: “Gilbert has its goons that bully people, and the recent Senate Hearing highlighted the suicide(s) in the Gilbert community from anonymous bullying. Some day I pray you stop being part of the problem. Sincerely. Next time you hear about anonymous bullying online, you can pat yourself on the back.”

**COUNT TWO (File Nos. 24-0669/Lang & 24-0899/Actis)**

18. On October 26 or 27, 2022, in connection with the Defamation Action, Respondent served a subpoena on Complainant Joni Lang, who was not a party to the case.

19. The subpoena Respondent served on Lang was patently overbroad, including because it requested any “materials” Lang had referring to any party to the lawsuit.

20. Around the same time, Respondent served a similar subpoena on another non-party, Complainant Rob Actis.

21. Lang hired counsel, Richard Elley, to assist her in responding to the subpoena. Elley contacted Respondent on November 17, 2022 and asked him for a meet and confer.

22. On November 21, 2022, Respondent moved to disqualify Elley on the basis that Elley was a member of Val Vista HOA and that Respondent's clients "might need Attorney Elley and his family to testify in this matter. Defendants might need the Elley family to testify in the forthcoming abuse of process and malicious prosecution lawsuits, where Joni Lang and Frank Lang will undoubtedly be sued for aiding and abetting in such."

23. Respondent's motion to disqualify included irrelevant attacks on the Langs, including alleging that Lang's husband's painting business received contracts from Val Vista despite that he "usually offered the highest bids."

24. On November 23, 2022, Elley emailed Respondent stating the following:

- a. Respondent had failed to serve the motion to disqualify on Elley despite saying that he had served Elley in the certificate of service;
- b. Respondent failed to disclose to the court that Respondent also was a former member of Val Vista HOA who had voted for the recall (which was the alleged basis for Elley's disqualification); and
- c. Respondent's argument about Elley being a possible witness in some future case was not a basis to seek disqualification.

25. In the November 23, 2022 email, Elley asked Respondent to correct the record with the court by November 25 at 5:00 p.m.

26. Respondent did not correct the record with the court as Elley had requested.

27. In response to Elley's November 23, 2022 email, Respondent emailed Elley "suggest[ing] ... that instead of wasting court resources in this matter, your Client immediately provide the documents demanded and YOU avoid this matter for ethical reasons."

28. Lang moved to quash Respondent's subpoena.

29. In response to the motion to quash, Respondent made personal attacks on Lang, including the following statement: "The only true burden on Joni Lang is that she will get caught lying to the Val Vista Lake Community about the Defendant, and that her emails which are the basis for this lawsuit are nothing more than wishful thinking meant to attack and terrorize those that want her and the Plaintiffs to stop living off of the VVL HOA coffers."

30. On December 21, 2022, Elley filed an Application for an Order to Show Cause ("OSC") asking that Respondent be sanctioned for misuse of the discovery process.

31. Before the court ruled on any of the motions related to Lang or Elley, the court granted Respondent's client's motion to dismiss. On April 5, 2023, the court issued a minute entry finding that all motions related to Lang and Elley were mooted by the dismissal of Respondent's clients.

32. Elley moved for reconsideration, asking that the court address the Application for OSC and sanction Respondent. The court ordered Respondent to respond.

33. Respondent's response to the Application for OSC includes attacks on Lang, including accusing her of "leading with her pitch fork."

34. In response to the motion for reconsideration, Respondent made ad hominem attacks against Elley, including stating:

Attorney Elley is too upset and instead needs to read the exact language of everything stated. His rantings are bizarre and inappropriate. There is a reason, Attorney Elley did not produce exact quotes.[] Attorney Elley's misrepresentations are concerning. But, like the Defendants, he is upset about secret files on him and his family.

35. On August 8, 2023, the court denied the motion for reconsideration without analysis and suggested to Elley that he could submit a charge to the State Bar.

36. In response to the bar charge Lang submitted against Respondent, Respondent made personal attacks on Lang, including stating: "Mrs. Lang's life seems to focus, with her friends, on regaining control of HOA monies. It is presumed in doing so, Mrs. Lang and her husband and friends can return to their previous kickback schemes."

37. Respondent's personal attacks on Lang were not relevant to the charge.

**COUNT THREE (File No. 24-2716/Judicial Referral)**

38. On February 5, 2024, Respondent filed a complaint to initiate the Maricopa County Superior Court Case *Iqtunheimr, LLC v. Val Vista Lakes Community Association*, No. CV2024-002225 (the “Iqtunheimr Action”).

39. Respondent, through his law firm, has managerial authority over the limited liability company that is the plaintiff in the Iqtunheimr Action.

40. On February 5, 2024, Respondent filed, in the Iqtunheimr Action, an application for a preliminary and permanent injunction and a petition for an order to show cause.

41. The complaint in the Iqtunheimr Action was not verified, and Respondent submitted no affidavits in support of the application for a preliminary and permanent injunction.

42. The application for a preliminary and permanent injunction in the Iqtunheimr Action was legally insufficient under both A.R.S. § 12-1803 and Ariz. R. Civ. P. 65.

43. On March 13, 2024, the Val Vista HOA and its director, Timothy Hendrick, filed separate motions to dismiss the claims against them.

44. Respondent filed several Notices in the Iqtunheimr Action, attempting to supplement his prior filings, without a legal basis for doing so.

45. The court in the Iqtunheimr Action granted two motions from defense counsel to strike Respondent's Notices on the bases that they were procedurally improper.

46. In the Iqtunheimr Action, Respondent moved to disqualify defense counsel on the basis that an attorney at the firm is related to two Val Vista HOA board members and alleging that those board members did not announce their conflict of interest when hiring the new firm, characterizing payments to the firm for legal services as illegal kickbacks.

47. In response to the motion to disqualify, defense counsel explained that the Val Vista HOA's insurer hired defense counsel.

48. Notwithstanding the foregoing, Respondent asserted in the reply in support of the motion to disqualify: "Defendants responded to the lawsuit by hiring their family law firm. Defendants never voted on the hire, and Defendants would prefer to keep the family kickbacks from community inspection in violation of A.R.S. [§] 33-1811."

49. Respondent stated in the reply in support of the motion to disqualify: "Defendants should be advised to spend less time on social media, and more time trying to fix the community. [The] HOA Board members have a horrible history of spending their time trying to police social media."

50. On March 29, 2024, Respondent moved for an extension of time to respond to Defendant Timothy Hendrick's motion to dismiss, including the statements: "Defendants now pretend like it is anyone but the Defendants that are releasing private Val Vista Lakes Board information.... Defendants do this to outrage the community against the Plaintiff and to deceive their attorneys into thinking it is others that are releasing the information. Defendants' attorneys would be good to speak with their clients before falsely accusing others...."

51. On May 2, 2024, the court denied the motion to disqualify on the basis that it was legally meritless, finding A.R.S. § 33-1811 inapplicable.

52. In denying the motion to disqualify, the court stated that Respondent "improperly inserts rhetoric into pleadings in order to support its request" and cautioned Respondent "against unnecessary and unhelpful statements that only disparage a non-party and do nothing to further the case against Defendants."

53. In denying the motion to disqualify, the court found that the motion constituted harassment because there was no legal basis to seek the firm's removal, and because Respondent had included "irrelevant rhetoric" in the motion.

54. On May 2, 2024, the court granted the motions to dismiss in part, dismissing Count One of the Complaint in its entirety, and dismissing Count Three as to Hendrick.

55. In its May 2, 2024 order, the court found that the remaining claims were not sufficient to warrant injunctive relief and vacated the evidentiary hearing it had set on Respondent's application for a preliminary and permanent injunction.

56. On May 2, 2024, Respondent moved for reconsideration of the court's May 2, 2024 ruling.

57. The court denied Respondent's motion for reconsideration on May 10, 2024 in an unsigned minute entry.

58. On May 24, 2024, Respondent voluntarily dismissed the remaining claims for the purpose of pursuing an appeal of the dismissed claims.

59. On June 4, 2024, Respondent filed a notice of appeal for the unsigned minute entry denying his motion for reconsideration.

60. The Court of Appeals dismissed the appeal Respondent had initiated as premature.

61. With the court's permission, the defendants in the Iqunheimr Action filed an application for their attorneys' fees and costs, and an application for sanctions under A.R.S. § 12-349.

62. In the Response to Defendants' Motion for Sanctions, Respondent continued to make ad hominem personal attacks on the defendants.

63. In the Response to Defendants' Motion for Sanctions, Respondent continued to assert that the Val Vista HOA Board was paying defense counsel,

despite the defendants' prior confirmation, and the court's finding, that the insurer had engaged defense counsel for the subject litigation.

64. In the Response to Defendants' Motion for Sanctions, Respondent referenced unsubstantiated personal attacks on the Val Vista HOA President, Retired Judge Melvin McDonald, including stating:

a. "Defendants' [sic] President Melvin McDonald has a horrific history of attempting to destroy his legal opponents, through any means necessary," citing Exhibit 13; and

b. "[Plaintiff] has no[] history of intimidation or unsavory legal practices, Defendants cannot say the same thing," citing Exhibit 14.

65. The Exhibit 13 referenced in Respondent's Response to Defendants' Motion for Sanctions is a 1997 New Times article that appears to accuse Judge McDonald of some sort of wrongdoing, but much of the printed article is blocked by ads.

66. The Exhibit 14 referenced in Respondent's Response to Defendants' Motion for Sanctions is a Court of Appeals decision from 1999 (197 Ariz. 155) in which the court reversed, in part, the dismissal of a complaint against Judge McDonald and others, finding that statements Judge McDonald allegedly made were not absolutely privileged.

67. Nothing in Exhibit 13 or Exhibit 14 was relevant to the motion for sanctions.

68. On September 16, 2024, defense counsel twice filed the reply in support of their application for sanctions.

69. On September 24, 2024, defense counsel filed a notice of errata stating that they had mistakenly filed the reply in support of their application for sanctions twice, instead of filing the reply in support of the application for attorneys' fees and costs.

70. Respondent filed an objection to the notice of errata, making irrelevant assertions about the community being upset with defense counsel and attaching pages of social media posts.

71. The court declined to consider the objection for lack of a "cognizable legal argument."

72. On October 23, 2024, the court granted the defendants' application for fees and costs and the defendants' motion for sanctions, stating the lawsuit was frivolous, referring the matter to the State Bar and imposing a \$5,000 sanction against Respondent personally.

### **CONDITIONAL ADMISSIONS**

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result

of coercion or intimidation. Respondent conditionally admits that he violated Ariz. R. Sup. Ct. 41(b)(7), and Ariz. R. Sup. Ct. 42, ER 3.1, ER 3.2, and ER 8.4(d) .

### **CONDITIONAL DISMISSALS**

The State Bar has conditionally agreed to dismiss the alleged violations of Ariz. R. Sup. Ct. 42, ER 3.4(d) and ER 4.4(a).

### **RESTITUTION**

Restitution is not an issue in this matter.

### **SANCTION**

Respondent and the State Bar agree that the following sanctions are appropriate: Reprimand with Probation for two (2) years. The terms of probation are as follows:

1. For any intellectual property litigation in Arizona District Court for which Respondent serves as counsel, Respondent will have a practice monitor review any court filings for the types of issues that form the basis of this disciplinary matter and advise Respondent on how to remain in compliance with his ethical and professionalism obligations. The practice monitor the State Bar has approved is Donald Wilson, Jr. Any changes in practice monitors must be approved by the State Bar.
2. For any litigation matter other than intellectual property litigation, Respondent will not appear as counsel of record without experienced co-

counsel appearing as counsel of record and actively participating in the matter. The Arizona Court of Appeals case, *Iqtunheimr LLC v. Val Vista Lakes Community Ass'n*, Case No. 1 CA-CV 25-0095, is excepted from this requirement while it remains on appeal. If the matter is remanded to the trial court for further proceedings, this requirement will apply.

3. Respondent shall commit no further violations of the Rules of Professional Conduct.

### **NON-COMPLIANCE WITH PROBATION**

If Respondent fails to comply with any of the foregoing probation terms and the State Bar receives information thereof, bar counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge, pursuant to Ariz. R. Sup. Ct. 60(a)(5). The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine whether Respondent breached a term of probation and, if so, to recommend an appropriate sanction. If the State Bar alleges that Respondent failed to comply with any of the probation terms, the burden of proof shall be on the State Bar to prove noncompliance by a preponderance of the evidence.

If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

## LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions* ("Standards") pursuant to Rule 57(a)(2)(E). In determining an appropriate sanction, the Presiding Disciplinary Judge considers the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct, and the existence of aggravating and mitigating factors. *Standard 3.0*.

The parties agree that the following *Standards* are applicable:

### Standard 6.2

Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or other party, or causes interference or potential interference with a legal proceeding.

### Standard 7.2

Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal system.

### Standard 7.3

Reprimand is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal system.

### **The duty violated**

Respondent's conduct violated his duty to the profession, the legal system, and the public.

### **The lawyer's mental state**

Respondent knew that certain aspects of his conduct were unprofessional.

Respondent's remaining conduct was negligent.

### **The extent of the actual or potential injury**

There was actual harm to the profession, the legal system, and the public.

### **Aggravating and mitigating circumstances**

The parties conditionally agree that the following aggravating and mitigating factors should be considered:

#### **In aggravation:**

- a) 9.22(d) multiple offenses (the conduct involved multiple violations in two different legal proceedings).

#### **In mitigation:**

- a) 9.32(a) absence of a prior disciplinary record;
- b) 9.32(b) absence of a dishonest or selfish motive;
- c) 9.32(e) cooperative attitude toward disciplinary proceedings;
- d) 9.32(f) inexperience in the practice of law (in addition to the fact that Respondent was licensed for only three years when the above-referenced matters commenced, Respondent practices primarily in intellectual property litigation, not general civil litigation);

- e) 9.32(k) imposition of other penalties or sanctions (the sanctions the Maricopa County Superior Court imposed, which Respondent has paid);  
and
- f) 9.32(l) remorse.

**Discussion**

Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

**CONCLUSION**

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. *In re Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of a reprimand with probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

DATED this 7<sup>th</sup> day of August, 2025

STATE BAR OF ARIZONA

  
\_\_\_\_\_  
Kelly A. Goldstein  
Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.**

DATED this 7<sup>th</sup> day of August, 2025.

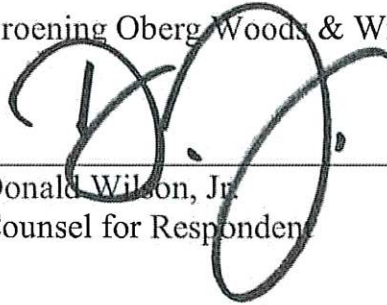


---

Nathan Brown  
Respondent

DATED this 7<sup>th</sup> day of August, 2025.

Broening Oberg Woods & Wilson PC



---

Donald Wilson, Jr.  
Counsel for Respondent

Approved as to form and content



---

Maret Vessella  
Chief Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 7<sup>th</sup> day of August, 2025.

Copy of the foregoing emailed  
this 7<sup>th</sup> day of August, 2025, to:

The Honorable Lisa A. Vandenberg  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: officepdj@courts.az.gov

Donald Wilson, Jr.  
Broening Oberg Woods & Wilson PC  
2800 N Central Ave. Ste. 1600  
Phoenix, AZ 85004-1047  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N. 24<sup>th</sup> St., Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

by: /s/Kelly A. Goldstein

**EXHIBIT A**

## Statement of Costs and Expenses

In the Matter of a Member of The State Bar of Arizona,  
Nathan Brown, Bar No. 033482, Respondent.

File Nos. 24-0669, 24-0749, 24-0899, and 24-2716

### 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.

### Additional Costs

06/18/24 Deposition Fee \$ 275.00

Total for additional costs \$ 275.00

TOTAL COSTS AND EXPENSES INCURRED \$1,475.00

**EXHIBIT B**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**NATHAN BROWN,  
Bar No. 033482,**

**PDJ 2025-9008**

**FINAL JUDGMENT AND  
ORDER**

State Bar File Nos. 24-0669, 24-0749,  
24-0899, 24-2716

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement.

Accordingly:

**IT IS ORDERED** that Respondent, Nathan Brown, is reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that Respondent is placed on probation for a period of two (2) years. The terms of probation are:

1. For any intellectual property litigation in Arizona District Court for which Respondent serves as counsel, Respondent will have a practice monitor review any court filings for the types of issues that form the basis of this

disciplinary matter and advise Respondent on how to remain in compliance with his ethical and professionalism obligations. Donald Wilson, Jr. is approved to serve as Respondent's practice monitor. Any changes in practice monitor must be approved by the State Bar.

2. For any litigation matter other than intellectual property litigation, Respondent will not appear as counsel of record without experienced co-counsel appearing as counsel of record and actively participating in the matter. The Arizona Court of Appeals case, *Iqtunheimr LLC v. Val Vista Lakes Community Ass'n*, Case No. 1 CA-CV 25-0095, is excepted from this requirement while it remains on appeal. If the matter is remanded to the trial court for further proceedings, this requirement will apply.
3. Respondent shall commit no further violations of the Rules of Professional Conduct.

**IT IS FURTHER ORDERED** that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ \_\_\_\_\_, within 30 days from the date of service of this Order. If costs are not paid within the 30 days, interest will begin to accrue at the legal rate.

**IT IS FURTHER ORDERED** that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings in the amount of \_\_\_\_\_, within 30 days from the date of service of this Order.

**DATED** this \_\_\_\_\_ day of August, 2025.

---

Lisa A. Vandenberg  
Presiding Disciplinary Judge

Copies of the foregoing emailed  
this \_\_\_\_\_ day of August, 2025, to:

Donald Wilson, Jr.  
Broening Oberg Woods & Wilson PC  
2800 N Central Ave. Ste. 1600  
Phoenix, AZ 85004-1047  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

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