

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JASON M. GOLDSTEIN,**  
**Bar No. 019795**

Respondent.

**PDJ 2017-9107**

**FINAL JUDGMENT AND  
ORDER**

[State Bar No. 16-4128]

**FILED DECEMBER 14, 2017**

The Presiding Disciplinary Judge having reviewed the Agreement for Discipline by Consent filed on December 7, 2017, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' Agreement.

Accordingly:

**IT IS ORDERED** Respondent, **JASON M. GOLDSTEIN, Bar No. 019795**, is suspended for six (6) months and one (1) day for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective *nunc pro tunc* to his October 1, 2016 suspension in PDJ 2016-9040.

**IT IS FURTHER ORDERED** pursuant to Rule 72 Ariz. R. Sup. Ct., Mr. Goldstein shall immediately comply with the requirements relating to notification of clients and others.

**IT IS FURTHER ORDERED** Mr. Goldstein shall immediately pay restitution of \$4,250.00, plus interest, to Madge and Kenneth Farkas, pursuant to Rule 60(a) Ariz. R. Sup. Ct. Mr. Goldstein shall contact the State Bar Compliance Monitor at 602-340-7258, in order to provide proof of timely payment of restitution.

**IT IS FURTHER ORDERED** Mr. Goldstein shall successfully complete the State Bar's LOMAP and MAP programs. Within ten (10) days of reinstatement Mr. Goldstein shall contact the State Bar Compliance Monitor at (602) 340-7258. Mr. Goldstein shall submit to a Law Office Management Assistance Program (LOMAP) examination of his office procedures, and a Member Assistance Program (MAP) substance abuse assessment. Thereafter, Mr. Goldstein shall sign terms and conditions of participation in LOMAP and MAP, including reporting requirements, which shall be incorporated herein. Mr. Goldstein shall be responsible for any costs associated with LOMAP and MAP.

**IT IS FURTHER ORDERED** Mr. Goldstein shall be subject to any additional terms imposed by the Presiding Disciplinary Judge because of any reinstatement hearings held.

**WARNING RE: NON-COMPLIANCE WITH PROBATION**

If Jason M. Goldstein fails to comply with any of the foregoing probation terms, and the State Bar of Arizona receives information thereof, Bar Counsel shall

file a notice of noncompliance with the Presiding Disciplinary Judge, pursuant to Rule 60(a)(5). The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine whether a term of probation has been breached and, if so, whether to impose a sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

**IT IS FURTHER ORDERED** Mr. Goldstein shall pay the costs and expenses of the State Bar of Arizona of \$1,217.46 within thirty (30) days from the date of this order. There are no costs associated with the Presiding Disciplinary Judge's Office in these disciplinary proceedings.

**DATED** this 14<sup>th</sup> day of December, 2017

*William J. O'Neil*

---

**William J. O'Neil, Presiding Disciplinary Judge**

Copies of the foregoing mailed/emailed  
this 14th day of December, 2017, to:

Craig D. Henley  
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

Jason M. Goldstein  
10410 N. Cave Creek Road Unit 2220  
Phoenix, AZ 85020-1669  
Email: goldsteincriminaldefense@gmail.com  
Respondent

by: AMcQueen

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JASON M. GOLDSTEIN,**  
**Bar No. 019795**

Respondent.

**PDJ-2017-9107**

**DECISION AND ORDER  
ACCEPTING AGREEMENT**

[State Bar No. 16-4128]

**FILED DECEMBER 14, 2017**

The parties filed an Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct<sup>1</sup>, on December 7, 2017. The probable cause order issued on August 28, 2017. The complaint was filed on September 18, 2017. The answer was timely filed on October 13, 2017. An initial case management conference was held on October 24, 2017.

Rule 57 requires admissions be tendered solely “...in exchange for the stated form of discipline....” Under that rule, the right to an adjudicatory hearing is waived only if the “...conditional admission and proposed form of discipline is approved....” If the agreement is not accepted, those conditional admissions are automatically withdrawn and shall not be used against the parties in any subsequent proceeding.

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<sup>1</sup> Unless otherwise stated, all Rule references are to the Ariz. R. Sup. Ct.

As required under Rule 53(b)(3), notice of this Agreement and of the opportunity to object was provided by email to the complainant(s) on October 23, 2017. No objections have been received.

The Agreement details a factual basis to support the conditional admissions. It is incorporated by this reference. Mr. Goldstein conditionally admits he violated Rule 42, ER 1.3 (Diligence), ER 1.4 (Communication), ER 1.5 (Fees), ER 1.15(d) (Safekeeping Property), ER 1.16(d), (Termination of Representation) and Rule 54(d), (Failure to promptly furnish information). An alleged violation of ER 8.1(b) is dismissed. The agreed upon sanctions include suspension for six (6) months and one (1) day retroactively, (*nunc pro tunc*) to his current suspension, plus full restitution of \$4250.00 plus interest, probation for two (2) years with the Law Office Management Assistance Program (LOMAP) and Member Assistance Program (MAP) and costs of these disciplinary proceedings totaling \$1,217.46 to be paid within thirty (30) days from the date of this order. The conditional admissions are briefly summarized.

On or about September 3, 2015, an inmate in the Arizona Department of Corrections and two other individuals, (“clients”), hired Mr. Goldstein to obtain a reduction in the period of incarceration of that inmate. A fee agreement was signed on November 1, 2015, with a stated scope of representation as “CLEMENCY PETITION” in the criminal action and “REVIEW FOR POSSIBLE MOTION TO

SET ASIDE CONVICTION.” The Agreement called for a non-refundable flat fee of \$8,500 of which \$4,250.00 was paid immediately and the balance was to be paid in monthly payments.

On September 1, 2016 Mr. Goldstein was suspended for six months and one day under an agreement for discipline by consent in PDJ 2016-9040. The discipline in PDJ 2016-9040 involved five different charges with substantially similar issues of Mr. Goldstein taking retainers and then failing to perform the contracted legal services.

He offered clients a partial refund. The State Bar requested a copy of his client file and time records on February 16, 2017. Mr. Goldstein could not provide a timely copy of the client, file, time records or any evidence regarding his work for clients. He had filed no pleadings of any kind. Eight months later, he provided to the State Bar a three page listing of purported legal serviced he provided.

Rule 57(a)(2)(E) requires the agreement include an analysis of the proposed sanctions under the *American Bar Association Standards for Imposing Lawyer Sanctions*, (“Standards”). The parties agree *Standard 4.42, Violation of Duties Owed to Clients; Lack of Diligence* applies to all violations except Rule 54(d). It provides that suspension is generally appropriate when a lawyer knows he is not performing the services requested by the client, but does nothing to remedy the situation.

His violation of Rule 54(d) implicates *Standard 7.2, Violations of Other Duties Owed as a Professional*. It provides that suspension is generally appropriate when a lawyer knowingly engages in conduct that violates a duty owed as a professional. The parties stipulate Mr. Goldstein knowingly violated duties to his clients and the profession which caused actual harm to clients and the profession.

The parties agree in aggravation are factors 9.22(a), (prior disciplinary offenses), and 9.22(i), substantial experience in the practice of law. There are no factors present in mitigation.

After consideration of the aggravating factor and the mitigating factors, the parties stipulate to the presumptive sanction of suspension for six (6) months and one (1) day, restitution, upon reinstatement two (2) years probation, and the payment of costs is an appropriate sanction. The effective date of suspension is *nunc pro tunc* to October 1, 2016, the date of his prior suspension PDJ 2016-9040.

While the Agreement does not specifically discuss the substantially similar violations arising from PDJ 2016-9040, they are of note, because this event happened close in time to those five previously resolved charges. While unstated, it appears probable that had this charge been known at that time, it would have been resolved in the same prior agreement. Attorney discipline serves to protect the public, the profession and the administration of justice, not to punish the lawyer.

The PDJ finds the objective of discipline is met by the sanctions imposed *nunc pro tunc*.

Now therefore,

**IT IS ORDERED** accepting and incorporating the Agreement and any supporting documents by this reference. The agreed upon sanctions are approved and costs shall be paid in full within thirty (30) days. There are no costs incurred by the Office of the Presiding Disciplinary Judge. A final judgment and order is signed this date.

**IT IS FURTHER ORDERED** vacating any case management dates or deadlines, including the hearing scheduled for January 11, 2018.

**DATED** this 14<sup>th</sup> day of December, 2017.

*William J. O'Neil*

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**William J. O'Neil, Presiding Disciplinary Judge**

COPY of the foregoing e-mailed/mailed on this 14th day of December 2017, to:

Counsel for State Bar  
Craig D. Henley  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, AZ 85016-6266  
Email: lro@staff.azbar.org

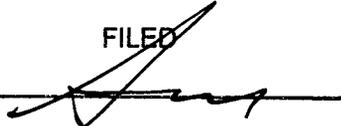
Respondent  
Jason M. Goldstein  
10410 N. Cave Creek Rd., Unit 2220  
Phoenix, AZ 85020-1669  
Email: goldsteincriminaldefense@gmail.com

by: AMcQueen

Craig D. Henley, Bar No. 018801  
Senior Bar Counsel - Litigation  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602) 340-7272  
Email: LRO@staff.azbar.org

OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA

DEC 7 2017

FILED  
BY 

Jason M. Goldstein, Bar No. 019795  
10410 N Cave Creek Road Unit 2220  
Phoenix, AZ 85020-1669  
Telephone 602-554-4267  
Email: goldsteincriminaldefense@gmail.com  
Respondent

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JASON M. GOLDSTEIN  
Bar No. 019795**

Respondent.

**PDJ 2017-9107**

State Bar File Nos. 16-4128

**AGREEMENT FOR DISCIPLINE  
BY CONSENT**

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Jason M Goldstein, who has chosen not to seek the assistance of counsel, hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct.

A probable cause order was entered on August 28, 2017, and a formal complaint has been filed in this matter. 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(b)(3), Ariz. R. Sup. Ct., notice of this agreement was provided to the complainant(s) by email on October 23, 2017. Complainant(s) have been notified 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. Copies of Complainants' objections, if any, have been or will be provided to the presiding disciplinary judge.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, Ariz. R. Sup. Ct., ER 1.3 ~ Diligence, ER 1.4 ~ Communication, ER 1.5 ~ Fees, ER 1.15(d) ~ Safekeeping Property, ER 1.16(d) ~ Termination of Representation and Rule 54(d), Ariz. R. Sup. Ct. ~ Failure to Promptly Furnish Information.

Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: Long-Term Suspension of six (6) months and one (1) day retroactively to the current suspension in *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316] along with Restitution and Probation (including concurrent participation in LOMAP and MAP with the terms in *In re: Jason M. Goldstein*, PDJ 2016-9040), all as detailed below.

Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order, and 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.

## FACTS

### GENERAL ALLEGATIONS

1. At all times relevant, Respondent was a lawyer licensed to practice law in the state of Arizona since December 16, 1999.

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<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.

**COUNT ONE (File No. 16-4128/Madge and Kenneth Farkas)**

2. On May 1, 2009, Tiffany Hecker was sentenced to 15 years in the Arizona Department of Corrections in the Maricopa County Superior Court case of *State v. Hecker*, CR2007-175758.

3. On or about August 25, 2015, Hecker, Madge and Kenneth Farkas (hereinafter referred to collectively as “Farkas”) discussed hiring Respondent to obtain a reduction in Hecker’s period of incarceration.

4. On or about September 3, 2015, Farkas met with Respondent and agreed to the financial terms regarding the representation.

5. Respondent became ill shortly after the September 3<sup>rd</sup> meeting, but Farkas eventually signed a “Fee Agreement” (sic) on November 1<sup>st</sup> outlining Respondent’s scope of representation as “CLEMENCY PETITION IN CR-2007-175758-001 SE AND REVIEW FOR POSSIBLE MOTION TO SET ASIDE CONVICTION”.

6. The agreement required a “non-refundable flat fee of \$8500.00”.

7. As part of the representation agreement, Farkas paid Respondent \$4250.00 as third party payors, the remainder to be paid in monthly payments.

8. On September 1, 2016, Respondent entered into a consent to discipline in *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316] resulting in the suspension of his license to practice law for six (6) months and one (1) day.

9. When explaining the suspension to the family, Respondent “offered a partial refund of the unearned portion of the fee that was paid by Madge and Kenneth Farkas”.

10. On February 16, 2017, the State Bar requested “one (1) copy of your client file, including time records.”

11. While Respondent initially claims that he performed “online research” and other legal services, Respondent failed to provide the State Bar with a timely copy of the client file, time records or any evidence supporting his purported legal services.

12. Respondent did not file any documents in the Maricopa County Superior Court case of *State v. Hecker*, CR2007-175758 or any appellate documents with the Arizona Court of Appeals.

13. On October 12, 2017, Respondent provided the State Bar with a three-page listing of the time and legal services purportedly spent during the *Hecker* representation as well as the client file.

### **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 his conduct violated Rule 42, Ariz. R. Sup. Ct., ER 1.3 ~ Diligence, ER 1.4 ~ Communication, ER 1.5 ~ Fees, ER 1.15(d) ~ Safekeeping Property, ER 1.16(d) ~ Termination of Representation and Rule 54(d), Ariz. R. Sup. Ct. ~ Failure to Furnish Information.

### **CONDITIONAL DISMISSALS**

The State Bar has conditionally agreed to dismiss one allegation of Rule 42, Ariz. R. Sup. Ct., ER 8.1(b) as Respondent negligently failed to respond to the State Bar's investigation request.

### **RESTITUTION**

Respondent shall pay Madge and Kenneth Farkas restitution in the amount of \$4250.00, pursuant to Rule 60(a)(6), Ariz. R. Sup. Ct.

## SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: Suspension from the practice of law for six (6) months and one (1) day, retroactively to the current suspension in *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316] and payment of the Restitution listed above.

Upon reinstatement, Respondent shall be placed on probation for two (2) years during which time he shall participate and successfully complete a LOMAP and MAP assessment, and pay Restitution as set forth above.

If Respondent violates any of the terms of this agreement, further discipline proceedings may be brought.

## 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). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in

various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter. *In re Peasley*, 208 Ariz. 27, 33, 35, 90 P.3d 764, 770 (2004); *In re Rivkind*, 162 Ariz. 154, 157, 791 P.2d 1037, 1040 (1990).

In determining an appropriate sanction consideration is given to 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. *Peasley*, 208 Ariz. at 35, 90 P.3d at 772; *Standard* 3.0.

The parties agree that the following *Standards* are appropriate given the facts and circumstances of this matter.

Respondent violated his duty to his client by violating Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 1.4, 1.5, 1.15(d) and 1.16(d), which implicates *Standard* 4.0.

*Standard* 4.42 states: "Suspension is generally appropriate when: (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client. . . ." The Commentary to *Standard* 4.42 explains: "Suspension should be imposed when a lawyer knows that he is not performing the services requested by the client, but does nothing to remedy the situation. . . ."

Respondent violated his duty as a professional, by violating Rule 54(d), Ariz. R. Sup. Ct. which implicates *Standard 7.0*.

*Standard 7.2* states: "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."

**The duty violated**

As described above, Respondent's conduct violated his duty to his client and the profession.

**The lawyer's mental state**

For purposes of this agreement the parties agree that Respondent knowingly engaged in a pattern of dilatory behavior, failed to communicate with his client, charged an unreasonable fee for the purported services provided and failed to provide a timely response to the State Bar requests and that his conduct was in violation of the Rules of Professional Conduct.

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

For purposes of this agreement, the parties agree that there was actual harm to client and the profession.

### **Aggravating and mitigating circumstances**

The presumptive sanction in this matter is suspension. The parties conditionally agree that the following aggravating and mitigating factors should be considered.

#### **In aggravation:**

*Standard 9.22(a):* Prior disciplinary offenses:

- *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316] (2016): Suspension of Six Months and One Day with Two Years of Probation for violating Rule 42, ERs 1.2, 1.3, 1.4(a)(3) and (4), 1.5(a), 1.7(a)(2), 1.15(c), 1.16(a)(1) and (d), 8.1(a), 8.4(c), 8.4(d) and Rule 54(d)(2).
- SB10-1227 (2011): Admonition with Probation (LOMAP and CLE) for violating Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 3.2 and 8.4(d).

*Standard 9.22(i):* Substantial experience in the practice of law.

#### **In mitigation:**

None.

## **Discussion**

The parties have conditionally agreed that, upon application of the aggravating and mitigating factors to the facts of this case, the presumptive sanction is appropriate.

The parties have conditionally agreed that a greater or lesser sanction would not be appropriate under the facts and circumstances of this matter. This agreement was based on the following:

The current offense is consistent with Respondent's prior disciplinary history and there is no mitigation supporting a deviation from the presumptive sanction.

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.

Finally, the parties also request that the presumptive sanction be imposed retroactively to Respondent's October 1, 2016 suspension in the discipline case of *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316].

## CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. *Peasley, supra* at ¶ 64, 90 P.3d at 778. 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 suspension of six months and one day and the imposition of costs and expenses.

A proposed form order is attached hereto as Exhibit B.

DATED this 07 day of December, 2017.

### STATE BAR OF ARIZONA

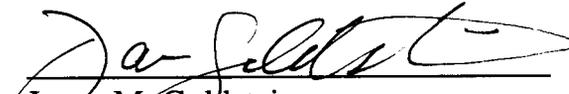


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Craig D. Henley  
Senior Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.**

DATED this 6<sup>th</sup> day of December, 2017.

  
Jason M. Goldstein  
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 December, 2017.

Copy of the foregoing emailed  
this 7<sup>th</sup> day of December, 2017, to:

The Honorable William J. O'Neil  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: officepdj@courts.az.gov

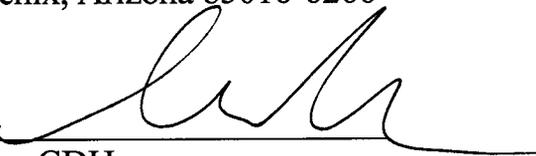
Copy of the foregoing mailed/mailed  
this 7<sup>th</sup> day of December, 2017, to:

Jason M. Goldstein  
10410 N. Cave Creek Road, Unit 2220  
Phoenix, AZ 85020-1669  
Email: goldsteincriminaldefense@gmail.com  
Respondent

Copy of the foregoing hand-delivered  
this 7<sup>th</sup> day of December, 2017, to:

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

by:

  
CDH:nr

**EXHIBIT A**

## Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona,  
Jason M. Goldstein Bar No. 019795, Respondent

File No. 16-4128

### 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

10/10/17	Accurint investigation	\$ 17.46
	Total for staff investigator charges	\$ 17.46
<b><u>TOTAL COSTS AND EXPENSES INCURRED</u></b>		<b><u>\$ 1,217.46</u></b>

**EXHIBIT B**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JASON M. GOLDSTEIN,**  
**Bar No. 019795,**

Respondent.

**PDJ 2017-9107**

**FINAL JUDGMENT AND  
ORDER**

[State Bar No. 16-4128]

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

Accordingly:

**IT IS HEREBY ORDERED** that Respondent, **Jason M. Goldstein**, is hereby suspended for a period of six months and one day retroactively to his October 1, 2016 suspension in *In re: Jason M. Goldstein*, PDJ 2016-9040 [State Bar Case Nos. 14-2407, 15-0039, 15-1256, 15-1261, and 15-1316] for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that, upon reinstatement, Respondent shall be placed on probation for a period of two years.

**IT IS FURTHER ORDERED** that, Respondent shall participate and successfully complete the State Bar's LOMAP and MAP programs. Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order/Agreement. Respondent shall submit to a LOMAP examination of their office procedures and obtain a MAP substance abuse assessment. Respondent shall sign terms and conditions of participation in the LOMAP and MAP programs, including reporting requirements, which shall be incorporated herein. Respondent will be responsible for any costs associated with LOMAP and MAP.

**IT IS FURTHER ORDERED** that, Respondent shall pay Madge and Kenneth Farkas restitution in the amount of \$4250.00, pursuant to Rule 60(a)(6), Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** that Respondent shall be subject to any additional terms imposed by the Presiding Disciplinary Judge as a result of reinstatement hearings held.

### **NON-COMPLIANCE LANGUAGE**

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

**IT IS FURTHER ORDERED** that, pursuant to Rule 72 Ariz. R. Sup. Ct., Respondent shall immediately comply with the requirements relating to notification of clients and others.

**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.

**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 December, 2017.

---

**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 December, 2017.

Copies of the foregoing mailed/emailed  
this \_\_\_\_\_ day of December, 2017, to:

Jason M. Goldstein  
10410 N Cave Creek Rd Unit 2220  
Phoenix, AZ 85020-1669  
Email: goldsteincriminaldefense@gmail.com  
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Craig D. Henley  
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by: \_\_\_\_\_