

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

ANDREW P. GORMAN,
Bar No. 020168

Respondent.

PDJ 2018-9052

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 16-1920]

FILED DECEMBER 7, 2018

The Presiding Disciplinary Judge, having reviewed the Agreement for Discipline by Consent filed on November 27, 2018, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed Agreement. Accordingly:

IT IS ORDERED Respondent, **Andrew P. Gorman, Bar No. 020168**, is reprimanded for conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the Consent documents effective the date of this order.

IT IS FURTHER ORDERED Mr. Gorman shall be placed on probation for a period of two (2) years.

IT IS FURTHER ORDERED Mr. Gorman shall participate in the following programs:

Law Office Management Assistance Program (LOMAP): Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days

from the date of this order. Respondent shall submit to a LOMAP examination of his office procedures including a trust account review. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent shall be responsible for any costs associated with LOMAP.

IT IS FURTHER ORDERED Respondent shall pay restitution in the amount of \$17,500.00 to Lisa Ryan within ninety (90) days of the date of this order.

IT IS FURTHER ORDERED Respondent shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,435.00 within thirty (30) days from the date of this order. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in these disciplinary proceedings.

DATED this 7th day of December, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed on this 7th day of December, 2018, and mailed December 10, 2018, to:

Bradley F. Perry
Staff Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Brian Holohan
Broening, Oberg, Woods & Wilson, P.C.
P.O. Box 20527
1122 E. Jefferson Street
Phoenix, Arizona 85036-0527
Email: bh@bowwlaw.com
Respondent's Counsel

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

ANDREW P. GORMAN,
Bar No. 020168

Respondent.

PDJ 2018-9052

**DECISION ACCEPTING
DISCIPLINE BY CONSENT**

[State Bar No. 16-1920]

FILED DECEMBER 7, 2018

Under Rule 57(a), Ariz. R. Sup. Ct.,¹ an Agreement for Discipline by Consent (“Agreement”), was filed on November 27, 2018. A Probable Cause Order issued on January 30, 2018, and the formal complaint was filed on June 21, 2018. Mr. Gorman is represented by Brian Holohan, *Broening, Oberg Woods & Wilson PC*. The State Bar of Arizona is represented by Bar Counsel Bradley F. Perry.

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. Mr. Gorman has voluntarily waived the right to an adjudicatory hearing, and waived all

¹ Unless otherwise stated all Rule references are to the Ariz. R. Sup. Ct.

motions, defenses, objections or requests that could be asserted upon approval of the proposed form of discipline. Notice of the Agreement and an opportunity to object within five (5) days pursuant to Rule 53(b)(3) was sent to the complainant(s) by email on October 31, 2018. The State Bar filed notice of an objection by Complainant, Lisa Ryan. Ms. Ryan stated she believes Mr. Gorman intentionally embezzled money from the Ryan Estate and Trust.

The Agreement details a factual basis to support the conditional admissions and are briefly summarized. It is incorporated by this reference. Mr. Gorman admits to violating Rule 42, specifically ERs 1.3 (diligence), 1.5 (fees) and 8.4(d) (conduct prejudicial to the administration of justice). The parties stipulate to a sanction of reprimand and two years of probation with the State Bar's Law Office Management Assistance Program (LOMAP) with a trust account records review, and restitution to the complainant in the amount of \$17,500.00 within 90 days from the date of this order. Mr. Gorman also agrees to pay costs in the amount of \$1,435.00 within 30 days from the date of this order.

Mr. Gorman was hired by John Ryan (client) in 2012 to make revisions to a trust and prepare a pour-over will. When drafted, those documents designated Mr. Gorman as trustee and personal representative. Lisa Ryan (complainant) was named as a beneficiary of the trust. Upon the client's death, additional stock certificates totaling \$161,636.16 were discovered that had not been conveyed to the trust and a probate

action was needed. Mr. Gorman acted as attorney and trustee for the trust and as personal representative for the Estate from 2013-2016. During that time, Mr. Gorman generated invoices that were incomplete and contained numerous billing errors. The invoices significantly under-reported attorney fees earned and contained incorrect amounts for expenses incurred. Mr. Gorman admits to not properly scrutinizing the invoices for accuracy. He asserts the source of the billing errors was the incorrect use and a lack of understanding of a complex billing program used by his law firm. Since that time, Mr. Gorman has obtained training for his staff on the proper use of the billing program and contracted for access to an on-demand service for questions regarding the billing program.

For purposes of the Agreement, the parties stipulate Mr. Gorman negligently violated his duties to the public by negligently failing to provide accurate expense information regarding fees generate by his client's trust and estate to complainant. His misconduct caused actual harm to the complainant.

The parties further agree aggravating factors 9.22(c) (pattern of misconduct), (h) (vulnerability of victim) and (i) (substantial experience in the practice of law) are present, and in mitigation are factors 9.32(a) (absence of prior disciplinary offenses), (d) timely good faith effort to make restitution or to rectify consequences of misconduct, (e) (full and free disclosure to disciplinary board or cooperative attitude toward proceedings), and (l) (remorse).

IT IS ORDERED accepting the Agreement and incorporating it with any supporting documents by this reference. A final judgment and order is signed this date.

DATED this 7th day of December, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed on this 7th day of December, 2018, and mailed December 10, 2018, to:

Bradley F. Perry
Bar Counsel
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Respondent's Counsel

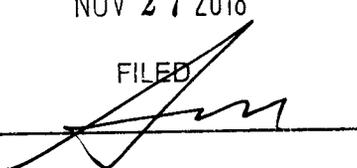
by: AMcQueen

Bradley F. Perry, Bar No. 025682
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OFFICE OF THE
PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF ARIZONA

NOV 27 2018

FILED

BY 

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Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**ANDREW P. GORMAN,
Bar No. 020168,**

Respondent.

PDJ 2018-9052

State Bar File Nos. 16-1920

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Andrew P. Gorman, who is represented in this matter by counsel, Brian Holohan, hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct. A Probable Cause Order was entered on January 30, 2018, a formal

Complaint was filed on June 21, 2018, and an Answer was filed on July 11, 2018. 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 31, 2018. 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, ERs 1.3, 1.5, and 8.4(d). Upon acceptance of this Agreement, Respondent agrees to accept imposition of the following discipline: Respondent shall be reprimanded, placed on probation for a period of two (2) years, and shall participate in the Law Office Management Program (LOMAP) with trust account records review, and pay restitution to Lisa Ryan in the amount of \$17,500.00. Respondent also agrees to pay the costs and expenses of the disciplinary

proceeding, within thirty (30) days from the date of the Order, and if costs are not paid within the thirty (30) days, interest will begin to accrue at the legal rate.¹ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

FACTS

1. Respondent was licensed to practice law in Arizona on May, 19, 2000.
2. Lisa Ryan is the daughter of decedent John Ryan. In 2012, Respondent was hired by the decedent to make revisions to the John Ryan Trust and prepare a pour-over will. The 2012 documents designated Respondent as trustee and personal representative. Lisa Ryan was named as a beneficiary of the Trust.
3. Mr. Ryan died on June 13, 2013.
4. Following his death, it was discovered that Mr. Ryan had GE stock certificates valued at \$161,636.16 which had not been conveyed to the trust. So Respondent needed to commence a probate action.
5. Between 2013 and 2016, Respondent acted as attorney and trustee for the Trust and as attorney and personal representative for the Estate.

¹ 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.

6. Respondent generated three versions of an invoice for legal work, trust and probate administration. The documents were printouts of billing entries to the point of the date of the invoice. The January 9, 2015 (“first iteration”), and the December 10, 2015 (“second iteration”) iterations were prematurely issued in that they were incomplete, had not been properly scrutinized by Respondent for errors, and were replete with errors. The final iteration, compiled on April 15, 2016, was correct.

7. The January 9, 2015, invoice indicated Respondent’s firm earned approximately \$29,642.85 in fees during the time period contained in the invoice. The amount of fees actually withdrawn from the Trust’s accounts and deposited into Respondent’s firm’s account as fees during the time period were approximately \$102,355.68.

8. The December 10, 2015, invoice indicated Respondent’s firm earned approximately \$64,199.45 in fees the time period contained in the invoice. The amount of fees actually withdrawn from the Trust’s accounts and deposited into Respondent’s firm’s account as fees during the time period were approximately \$102,355.68.

9. The April 15, 2016, invoice indicated Respondent's firm earned approximately \$111,243.50 in fees during the time period contained in the invoice.

10. The source of the errors was primarily the incorrect use, and lack of understanding, of a complex billing program that Respondent's law firm acquired earlier but had not used for hourly billing until 2013. The relatively new billing program was called Abacus Accounting, which linked to the firm's relatively new Abacus file management software (collectively, "ABACUS").

11. Mr. Ryan's Trust and Estate were one of the first, if not the first, significant project where Respondent's law firm used ABACUS for tracking time-based billings. Prior to this use of ABACUS, Respondent's law firm billed primarily on a fixed fee basis.

12. A combination of these factors (the relative newness of this system to Respondent's law firm's time-keepers, the lack of training, human error, and system glitches) caused there to be significant errors in the firm's invoices for the John Ryan Trust and Estate. Respondent admits he did not adequately review the ABACUS information to ensure it was correct.

13. Respondent admits that he negligently relied on information captured by ABACUS when communicating with Lisa Ryan about Trust and Estate expenses during the period of administration.

14. In October 2014, Respondent sent Ms. Ryan a Trust and Estate accounting which incorrectly captured the amount of fees taken by Respondent's firm. The accounting significantly under-reported the amount of fees taken by Respondent's firm.

15. In October 2015, Respondent sent Ms. Ryan a Trust and Estate accounting which incorrectly captured the amount of fees taken by Respondent's firm. The accounting significantly under-reported the amount of fees taken by Respondent's firm.

16. In various emails in 2013, 2014, and 2015, Respondent incorrectly informed Ms. Ryan of expenses, including fees, incurred by the Trust and Estate.

17. Respondent admits that he negligently relied on information captured by ABACUS when communicating with tax professionals about Trust and Estate expenses during the period of administration.

18. Respondent provided inaccurate fee totals to Ms. Ryan's accountant as well as the accountant for the Trust and Estate in 2013 and 2014. Reliance on this

information resulted in Ms. Ryan paying more taxes than she would have otherwise had to pay.

19. In 2016, Respondent became aware of the broad scope of the billing and payment reporting problem on the Ryan matters. Respondent's law firm signed a contract for monthly maintenance and assistance from Abacus Data Systems. With help from ABACUS, Respondent's staff undertook the process of compiling an accurate invoice. Respondent personally reviewed their work, made some additional changes, and approved the compilation of the billing and payment information, which became the Master Invoice issued on April 15, 2016.

20. However, Respondent did not explain the corrections to Lisa Ryan nor did he timely provide Ms. Ryan with a copy of the April 15, 2016, invoice.

21. Respondent also failed to provide updated information to the tax professionals who relied on the inaccurate invoices provided to them in 2013 and 2014.

22. Respondent failed to take the time to explain the errors to Ms. Ryan until 2018, when Respondent sought to close the Trust and disburse the remaining balance. Respondent petitioned the probate Court for guidance regarding the final

disbursement of funds from the Trust. The parties reached an agreement, the funds were disbursed, and Respondent's fees were approved.

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., specifically ERs 1.3, 1.5, and 8.4(d).

CONDITIONAL DISMISSALS

The State Bar has conditionally agreed to dismiss ERs 1.7, 5.3, and 8.4(c).

RESTITUTION

Respondent shall pay Lisa Ryan restitution in the amount of \$17,500.00 within ninety (90) days from the date of the Order.

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: Respondent shall be reprimanded, placed on probation for a period of two (2) years, and shall participate in the Law Office Management Program

(LOMAP) with trust account records review, and pay restitution to Lisa Ryan in the amount of \$17,500.00.

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

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 thirty (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.

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 *Standard* 7.3 is the appropriate *Standard* given the facts and circumstances of this matter. *Standard* 7.3 provides that 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

As described above, Respondent's conduct violated his duty to the public.

The lawyer's mental state

For purposes of this Agreement, the parties agree that Respondent negligently failed to provide accurate expense information regarding fees generated by the John Ryan Trust and Estate to Lisa Ryan and others. Respondent conditionally admits 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 Lisa Ryan.

Aggravating and mitigating circumstances

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

In aggravation:

9.22(c) – A pattern of misconduct. Respondent negligently under-reported the amount of fees taken by his firm on multiple occasions.

9.22(h) – Vulnerability of the victim. Lisa Ryan did not have access to information that would allow her to verify Respondent's statements regarding fees and was therefore forced to rely on information provided to her by Respondent.

9.22(i) – Substantial experience in the practice of law.

In mitigation:

9.32(a) Absence of a prior disciplinary record;

9.32(d) Timely good-faith effort to make restitution or to rectify consequences of misconduct;

9.32(e) Full and free disclosure to disciplinary board or cooperative attitude toward proceedings;

9.32(l) Remorse - Respondent has demonstrated real remorse for his actions. Since realizing the errors in his billings, and the impact that the mismanaged system had on the Complainant, caused by his office's unfamiliarity with its billing software, Respondent has spent considerable time, effort, and money to ensure such errors do not happen in the future. Respondent has paid, and continues to pay, additional fees to ABACUS for access to on-demand help for any questions he or his staff might have. Respondent and his staff have received training in the proper use of the ABACUS system as well as general time-keeping practices. Respondent welcomes the assistance of the State Bar's LOMAP program to help solidify and refine his office procedures.

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.

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. *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. A proposed form of order is attached hereto as Exhibit B.

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DATED this 15 day of November 2018.

STATE BAR OF ARIZONA

BPerry
Bradley F. Perry
Staff Bar Counsel

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

DATED this _____ day of November, 2018.

Andrew P. Gorman
Respondent

DATED this _____ day of November, 2018.

Broening, Oberg, Woods & Wilson, P.C.

Brian Holohan
Counsel for Respondent

Approved as to form and content

Maret Vessella
Maret Vessella
Chief Bar Counsel

DATED this 15 day of November 2018.

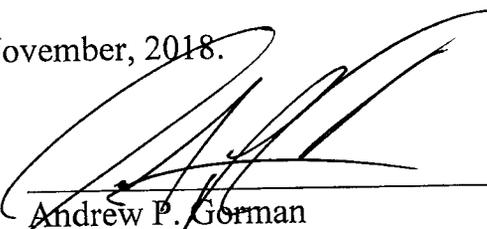
STATE BAR OF ARIZONA



Bradley F. Perry
Staff Bar Counsel

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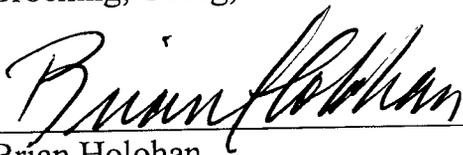
DATED this 21 day of November, 2018.



Andrew P. Gorman
Respondent

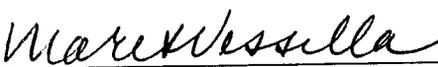
DATED this 26th day of November, 2018.

Broening, Oberg, Woods & Wilson, P.C.



Brian Holohan
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 27th day of November, 2018.

Copy of the foregoing emailed
this 27th day of November, 2018, 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/emailed
this 27th day of November, 2018, to:

Brian Holohan
Broening, Oberg, Woods & Wilson, P.C.
P.O. Box 20527
1122 E. Jefferson Street
Phoenix, Arizona 85036-0527
Email: bh@bowwlaw.com
Respondent's Counsel

Copy of the foregoing hand-delivered
this 27th day of November, 2018, to:

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

by:


BFP:sab

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,
Andrew P. Gorman, Bar No. 020168, Respondent

File No. 16-1920

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

10/30/17	01/06/14 Hearing Transcript of Maricopa County Superior Court Case No. PB2013-071015	\$ 40.00
06/07/18	Alliance Reporting Solutions invoice: Deposition of Andrew P. Gorman	\$ 195.00
Total for staff investigator charges		\$ 235.00
<u>TOTAL COSTS AND EXPENSES INCURRED</u>		<u>\$1,435.00</u>

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**ANDREW P. GORMAN,
Bar No. 020168,**

Respondent.

PDJ 2018-9052

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 16-1920]

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

IT IS ORDERED that Respondent, **Andrew P. Gorman**, is hereby reprimanded for conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the Consent documents.

IT IS FURTHER ORDERED, Respondent shall be placed on probation for a period of two (2) years.

IT IS FURTHER ORDERED, Respondent shall participate in the following programs:

1. LOMAP: Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from the date of service of this Order.

Respondent shall submit to a LOMAP examination of their office procedures.

Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent will be responsible for any costs associated with LOMAP.

IT IS FURTHER ORDERED, that Respondent shall pay restitution in the amount of \$17,500.00 to Lisa Ryan within ninety (90) days of the date of this Order.

IT IS FURTHER ORDERED, that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ _____, within thirty (30) days from the date 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 thirty (30) days from the date of service of this Order.

DATED this _____ day of November, 2018.

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 November, 2018.

Copy of the foregoing mailed/mailed
this _____ day of November, 2018, to:

Brian Holohan
Broening, Oberg, Woods & Wilson, P.C.
P.O. Box 20527
1122 E. Jefferson Street
Phoenix, Arizona 85036-0527
Email: bh@bowwlaw.com
Respondent's Counsel

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by: _____