

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**SCOTT LIEBERMAN,**  
**Bar No. 024306**

Respondent.

**PDJ-2018-9007**

**FINAL JUDGMENT AND  
ORDER OF DISBARMENT**

[State Bar Nos. 17-0761, 17-1353,  
17-1772, 17-2484]

**FILED APRIL 13, 2018**

This matter was heard by the Hearing Panel, which rendered its Decision and Order on March 28, 2018. No appeal having been filed and the time for appeal having passed, accordingly:

**IT IS ORDERED** Respondent, **SCOTT LIEBERMAN, Bar No. 024306**, is disbarred from the State Bar of Arizona and the name of Respondent is stricken from the roll of lawyers effective March 28, 2018, as ordered in the Hearing Panel's Decision and Order Imposing Sanctions. Mr. Lieberman is no longer entitled to the rights and privileges of a lawyer but remains subject to the jurisdiction of the Court.

**IT IS FURTHER ORDERED** Mr. Lieberman shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**IT IS FURTHER ORDERED** Mr. Lieberman shall pay restitution, with interest at the legal rate, to the following individual in the following amount:

Count Three: \$5,000.00 to Rachel Tester.

**IT IS FURTHER ORDERED** Mr. Lieberman shall pay the costs and expenses of the State Bar of Arizona totaling \$2,000.00. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in these disciplinary proceedings.

**DATED** this 13<sup>th</sup> day of April, 2018.

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

COPY of the foregoing e-mailed this 13<sup>th</sup> day of April, 2018, and mailed April 16, 2018, to:

Hunter Perlmeter  
Bar Counsel  
State Bar of Arizona  
4201 N. 24th Street, Suite 100  
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Scott Lieberman  
4554 E. Sunrise Drive  
Tucson, AZ 85718-5370  
Email: scott@liebermanlaw.az.com  
Respondent

by: AMcQueen

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**SCOTT LIEBERMAN,**  
**Bar No. 024306**

Respondent.

**PDJ 2018-9007**

**DECISION AND ORDER  
IMPOSING SANCTIONS**

[State Bar Nos. 17-0761, 17-1353,  
17-1772 and 17-2484]

**FILED MARCH 28, 2018**

**SUMMARY**

The Hearing Panel ordered Mr. Lieberman disbarred effective immediately for violating Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.4(c), 8.4(c), 8.4(d), and Rules 41(g), 54(d) and 72.

In Count I, Mr. Lieberman on multiple occasions failed to comply with Superior Court Orders. In Count II, after representing his client in a litigated hearing, Mr. Lieberman failed to file a final order in her case, despite being ordered by the Court to do so and was held in contempt. He later filed a proposed order without discussing the matter with his client. In Count III, Mr. Lieberman was hired to provide representation in a family law case and was paid \$5,000. He appeared once and then abandoned his client. In Count IV, he was paid \$17,000 to assist a client in appealing child custody orders. During the representation, Mr. Lieberman sent his

client a text message in which he asked her: “Would you rather have sex and not pay at all?” He made similar statements to his client over the phone and sent at least one text message containing a picture of his genitalia. Mr. Lieberman also failed to respond to the State Bar’s screening letters, phone calls, and emails.

### **PROCEDURAL HISTORY**

This matter on March 28, 2018, proceeded for an aggravation/mitigation hearing before the Hearing Panel (Panel), comprised of Stanley R. Lerner, volunteer attorney member, Richard L. Westby, volunteer public member, and the Presiding Disciplinary Judge William J. O’Neil, (“PDJ”). Hunter F. Perlmeter appeared on behalf of the State Bar of Arizona. Mr. Lieberman did not appear. Exhibits 1-30 were admitted. At the conclusion of the hearing, the State Bar requested disbarment and restitution.

The State Bar of Arizona (“SBA”) filed its complaint on January 17, 2018. On January 19, 2018, service of the complaint was completed by mailing the Complaint to Mr. Lieberman at his address of record, by certified, delivery restricted mail, and by regular first-class mail, pursuant to Rules 47(c) and 58(a) (2), Ariz. R. Sup. Ct. The State Bar also emailed the Complaint to Mr. Lieberman’s email address of record. The Presiding Disciplinary Judge (“PDJ”) was assigned to the matter. A notice of default and entry of default was entered on February 14, 2018. Default was effective on March 7, 2018. The parties were notified of the setting of the

aggravation mitigating hearing for March 28, 2018 at 9:30 a.m., at the State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

### **FINDINGS OF FACT**

The facts listed below are those set forth in the SBA's complaint and were deemed admitted by Mr. Lieberman's default. A respondent against whom a default is effective may no longer litigate the merits of the factual allegations, but retains the right to appear and participate in the hearing that will determine the sanctions. Included with that right to appear is the right to testify and the right to cross-examine witnesses, in each instance only to establish facts related to aggravation and mitigation. Mr. Lieberman did not appear.

1. Mr. Lieberman was admitted to practice law in Arizona on May 18, 2016. He is subject to the jurisdiction of the Arizona Supreme Court and the Hearing Panel in this disciplinary proceeding.<sup>1</sup>

2. Mr. Lieberman was suspended from the practice of law on August 25, 2017, for three years for his conduct in a prior disciplinary matter, PDJ2017-9049.

### **COUNT ONE (File No. 17-0761/Judicial Referral)**

3. A Cochise County Superior Court judge issued minute entries in a family law case on December 8, 2016; January 27, 2017; February 23, 2017; and March 6, 2017, respectively, ordering Mr. Lieberman to finalize and file a Rule 69

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<sup>1</sup> Rule 46, Ariz. R. S. Ct.

agreement. When Mr. Lieberman failed to comply with the orders, the judge filed the bar charge. [Ex. 1.]

4. Mr. Lieberman failed to respond to the State Bar's screening letters, phone calls, and emails. [Exs. 2-4.]
5. Mr. Lieberman's conduct in Count One violated ERs 3.2, 3.4(c), 8.4(d), and Rule 54(d).

### **COUNT TWO (File No. 17-1353/Wong)**

6. On December 1, 2016, Sherry Wong hired Mr. Lieberman in a child custody case (the case referenced in Count One) before a December 8, 2016, trial date. She authorized Mr. Lieberman to charge \$7,500 to her credit card at the start of the representation. Mr. Lieberman appeared at a contested hearing on Wong's behalf. The hearing lasted approximately 1.5 hours. [Ex. 6.]
7. During the days following the trial, Mr. Lieberman and Wong discussed a partial refund of the unused portion of the fee. On December 16, 2016, Wong asked for an update concerning the refund. Mr. Lieberman did not respond. Due to Mr. Lieberman's failure to respond, Wong disputed Mr. Lieberman's charges with her credit card company. \$2,100 in charges were returned to her by her credit card company. [Id.]
8. In March of 2017, Wong learned that Mr. Lieberman never filed a final order in her case, despite being ordered to do so. She also learned that Mr.

Lieberman had been found in contempt and fined for his failure to file a final order. In April of 2017, Mr. Lieberman filed a final order without communicating with Wong. Mr. Lieberman has not issued a refund to Wong. [Id.]

9. The State Bar's screening letter was sent to Mr. Lieberman's address of record, but returned as unclaimed unable to forward. [Ex. 7-8.]

10. Mr. Lieberman's conduct in Count Two violated ERs 1.3, 1.4, 1.5, 1.15, 3.4(c), Rule 54(d), and Rule 72.

### **COUNT THREE (File No. 17-1772/Tester)**

11. On March 7, 2017, Rachel Tester hired Mr. Lieberman to provide representation in a family law case (SP-20090276). She paid \$5,000 at the start of the representation. [Ex. 11-14.]

12. On March 8, 2017, Mr. Lieberman made his only court appearance.

Despite five emails by Tester requesting an invoice, Mr. Lieberman did not provide one. [Ex. 16.]

13. On June 3, 2017, Tester contacted the court concerning her inability to reach Mr. Lieberman. The judicial assistant indicated that she would call Mr. Lieberman and tell him to contact Tester. On June 6, 2017, the judicial assistant told Tester that when she reached Mr. Lieberman, he informed her

he had tried to contact Tester on numerous occasions, and that he would again attempt to reach her. [Ex. 16.]

14. Mr. Lieberman, however, had not attempted to contact Tester, and did not try to do so after being contacted by the judicial assistant. The representation was of little or no value to Tester. Mr. Lieberman also failed to inform Tester of his disciplinary suspension that began on August 25, 2017. Mr. Lieberman has failed to refund unearned fees to Tester or provide her with an accounting. [Ex. 16]

15. The initial screening letter sent to Mr. Lieberman's address of record was returned as "unclaimed unable to forward." [Ex. 17-18.]

16. Mr. Lieberman's conduct in Count Three violated ERs 1.3, 1.4, 1.5, 1.15, 1.16, 8.4(c), and Rule 72.

#### **COUNT FOUR (File No. 17-2484/Cruz)**

17. Mr. Lieberman represented Laura Cruz in her family law case (SP20060213). Cruz originally hired Mr. Lieberman in 2015 and paid \$17,000 to assist her in appealing child custody orders issued by the court in June of 2015. On June 17, 2016, the Court of Appeals granted Cruz's appeal. [Ex. 23.]

18. During the representation, Mr. Lieberman sent Cruz a text message in which he asked her: "Would you rather have sex and not pay at all?" Cruz declined. [Ex. 22.]

19. Mr. Lieberman made similar statements to Cruz over the phone and sent at least one text message containing a picture of his genitalia. Mr. Lieberman also offered Cruz \$500 to see her naked. Because of Mr. Lieberman's behavior, and her financial inability to hire another attorney, Cruz turned over all communication in her case to her mother. [Ex. 23.]

20. Mr. Lieberman communicated to Cruz's mother that he had communicated with the court's judicial assistant about obtaining a hearing in Cruz's case to address child support. Cruz, however, contacted the judicial assistant independently and learned that Mr. Lieberman had not engaged in any such communication with the court. [Id.]

21. Mr. Lieberman failed to inform Cruz of his suspension that began August 25, 2017. Mr. Lieberman has refunded none of Cruz's attorneys' fees. [Id.]

22. Mr. Lieberman's conduct in Count Four violated ERs 1.4, 1.5, 1.16, 8.4(c), and Rule 41(g).

### **CONCLUSIONS OF LAW**

Although the allegations are deemed admitted by default, there has also been an independent determination by the Panel that the State Bar has proven by clear and convincing evidence that Mr. Lieberman violated the ethical rules. Based upon the facts deemed admitted and the evidence, the Hearing Panel finds by clear and

convincing evidence that Mr. Lieberman violated Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.4(c), 8.4(c), 8.4(d), and Rules 41(g), 54(d) and 72.

### **ABA STANDARDS ANALYSIS**

The American Bar Association's *Standards for Imposing Lawyer Sanctions* ("Standards") are a "useful tool in determining the proper sanction." *In re Cardenas*, 164 Ariz. 149, 152, 791 P.2d 1032, 1035 (1990). In imposing a sanction, the following factors should consider: (1) the duty violated; (2) the lawyer's mental state; (3) the actual or potential injury caused by the lawyer's misconduct; and (4) the existence of aggravating or mitigating factors. *Standard 3.0*.

#### **Duties violated:**

Mr. Lieberman violated his duty to his clients, the public, the profession, and the legal system.

#### **Mental State and Injury:**

Mr. Lieberman violated his duty to clients, implicating *Standard 4.4*. *Standard 4.41* states:

Disbarment is generally appropriate when:

- (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client;
- (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
- (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

Mr. Lieberman abandoned the practice, knowingly failed to perform services for clients, and engaged in a pattern of neglect of client matters, all which caused serious or potentially serious injury to clients.

### **AGGRAVATING AND MITIGATING FACTORS**

The Panel finds the following aggravating factors are present in this matter:

*Standard 9.22(a)* prior disciplinary offenses;  
*Standard 9.22(b)*: dishonest or selfish motive;  
*Standard 9.22(c)*: pattern of misconduct;  
*Standard 9.22(d)*: multiple offenses;  
*Standard 9.22(e)*: bad faith obstruction—failure to file an answer; and  
*Standard 9.22(h)* vulnerability of victim

The Panel finds that no mitigating factors apply.

The Panel finds that in light of the several aggravating factors and the absence of mitigating factors, disbarment is appropriate.

### **CONCLUSION**

The Supreme Court “has long held that ‘the objective of disciplinary proceedings is to protect the public, the profession and the administration of justice and not to punish the offender.’” *Alcorn*, 202 Ariz. at 74, 41 P.3d at 612 (2002) (quoting *In re Kastensmith*, 101 Ariz. 291, 294, 419 P.2d 75, 78 (1966)). It is also the purpose of lawyer discipline to deter future misconduct. *In re Fioramonti*, 176 Ariz. 182, 859 P.2d 1315 (1993). It is also a goal of lawyer regulation to protect and

instill public confidence in the integrity of individual members of the SBA. *Matter of Horwitz*, 180 Ariz. 20, 881 P.2d 352 (1994).

The Panel has determined the sanction using the evidence, the facts deemed admitted, the *Standards*, the aggravating factors, the absence of any mitigating factor, and the goals of the attorney discipline system. The Panel orders:

1. **Scott Lieberman, Bar No. 024306**, is disbarred from the practice of law effective immediately.
2. Mr. Lieberman shall pay all costs and expenses incurred by the SBA in this proceeding.
3. Mr. Lieberman shall pay restitution in the amount of \$5,000.00 to Complainant Rachel Tester in Count 3, because the representation was of little or no value to Tester.

A final judgment and order shall follow.

**DATED** this 28<sup>th</sup> day of March, 2018.

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

*Richard L. Westby*  
\_\_\_\_\_  
**Richard L. Westby, Public Member**

*Stanley R. Lerner*  
\_\_\_\_\_  
**Stanley R. Lerner, Attorney Member**

Copy of the foregoing emailed  
this 28th day of March, 2018, and  
mailed March 29, 2018, to:

Hunter F. Perlmeter  
Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> St., Suite 100  
Phoenix, Arizona 85016-6266  
Email: LRO@staf.azbar.org

Scott Lieberman  
Law Office of Scott Lieberman PLLC  
4554 E. Sunrise Dr.  
Tucson, AZ 85718-5370  
Email: scott@liebermanlawaz.com  
Respondent

by: AMcQueen

OFFICE OF THE  
PRESIDING DISCIPLINARY JUDGE  
SUPREME COURT OF ARIZONA

JAN 17 2018

FILED

BY



Hunter F. Perlmeter, Bar No. 024755  
Staff Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602)340-7278  
Email: LRO@staff.azbar.org

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**SCOTT LIEBERMAN,  
Bar No. 024306,**

Respondent.

PDJ 2018-9007

**COMPLAINT**

[State Bar Nos. 17-0761, 17-1353,  
17-1772, and 17-2484]

Complaint is made against Respondent as follows:

**GENERAL ALLEGATIONS**

1. Respondent was admitted to practice law in Arizona on  
May 18, 2006.

2. Beginning August 25, 2017, Respondent was suspended from the practice of law for three years for his disciplinary misconduct in PDJ No.: 2017-9049.

**COUNT ONE (File No. 17-0761/Judicial Referral)**

3. A Cochise County Superior Court judge issued minute entries in a family law case on December 8, 2016; January 27, 2017; February 23, 2017; and March 6, 2017, respectively, ordering Respondent to finalize and file a Rule 69 agreement.

4. When Respondent failed to comply with the orders, the judge filed the subject bar charge.

5. Respondent failed to respond to the State Bar's screening letters, phone calls, and emails.

6. Respondent's conduct in Count One violated ERs 3.2, 3.4(c), 8.4(d), and Rule 54(d).

**COUNT TWO (File No. 17-1353/Wong)**

7. On December 1, 2016, Sherry Wong hired Respondent in a child custody case in advance of a December 8, 2016, trial date. She authorized Respondent to charge \$7,500 to her credit card at the start of the representation.

8. Respondent appeared at trial on Wong's behalf. The hearing lasted approximately 1.5 hours.

9. During the days following the trial, Respondent and Wong discussed a partial refund of the unused portion of the fee.

10. On December 16, 2016, Wong asked for an update concerning the refund. Respondent did not respond.

11. Due to Respondent's failure to respond, Wong disputed Respondent's charges with her credit card company. \$2,100 in charges were returned to her by her credit card company.

12. In March of 2017, Wong learned that Respondent never filed a final order in her case, despite being ordered to do so. She also learned that Respondent had been found in contempt and fined for his failure to file a final order.

13. In April of 2017, Respondent filed a final order without communicating with Wong.

14. The State Bar's screening letter was sent to Respondent's address of record, but returned as unclaimed unable to forward.

15. Respondent has not refunded Wong unearned fees.

16. Respondent's conduct in Count Two violated ERs 1.3, 1.4, 1.5, 1.15, 3.4(c), Rule 54(d), and Rule 72.

**COUNT THREE (File No. 17-1772/Tester)**

17. On March 7, 2017, Rachel Tester hired Respondent to provide representation in a family law case (SP-20090276). She paid \$5,000 at the start of the representation.

18. On March 8, 2017, Respondent made his only court appearance in the case.

19. Despite five emails by Tester requesting an invoice in her case, Respondent did not provide one.

20. On June 3, 2017, Tester contacted the court concerning her inability to reach Respondent. The judicial assistant indicated that she would call Respondent and tell him to contact Tester.

21. On June 6, 2017, the judicial assistant told Tester that when she reached Respondent, he informed her that he had tried to contact Tester on numerous occasions, and that he would again attempt to reach her.

22. Respondent, however, had not attempted to contact Tester, and made no attempt to do so after being contacted by the judicial assistant.

23. Respondent also failed to inform Tester of his disciplinary suspension that began on August 25, 2017.

24. The initial screening letter sent to Respondent's address of record was returned as "unclaimed unable to forward."

25. Respondent has failed to refund unearned fees to Tester or provide her with an accounting.

26. Respondent's conduct in Count Three violated ERs 1.3, 1.4, 1.5, 1.15, 1.16, 8.4(c), and Rule 72.

#### **COUNT FOUR (File No. 17-2484/Cruz)**

27. Respondent represented Laura Cruz in her family law case (SP20060213). Cruz originally hired Respondent in 2015 and paid \$17,000 to assist her in appealing child custody orders issued by the court in June of 2015.

28. On June 17, 2016, the Court of Appeals granted Cruz's appeal.

29. During the representation, Respondent sent Cruz a text message in which he asked her: "Would you rather have sex and not pay at all?" Cruz declined the offer.

30. Respondent made similar statements to Cruz over the phone and sent at least one text message containing a picture of his genitalia. Respondent also offered Cruz \$500 to see her naked.

31. Because of Respondent's behavior, and her financial inability to hire another attorney, Cruz turned over all communication in her case to her mother.

32. Respondent communicated to Cruz's mother that he had communicated with the court's judicial assistant about obtaining a hearing in Cruz's case to address the issue of child support. Cruz, however, contacted the judicial assistant independently and learned that Respondent had not engaged in any such communication with the court.

33. Respondent failed to inform Cruz of his suspension that began August 25, 2017, for his conduct in State Bar file no. 16-1372.

34. Respondent has failed to refund any of Cruz's attorneys fees.

35. Respondent's conduct in Count Four violated ERs 1.4, 1.5, 1.16, 8.4(c), and Rule 41(g).

DATED this 17<sup>th</sup> day of January, 2018.

**STATE BAR OF ARIZONA**



---

Hunter F. Perlmeter  
Staff Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 17<sup>th</sup> day of January, 2018.

by:   
HFP:mgm

**FILED**

DEC 22 2017

BY

*[Handwritten signature]*

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

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

**SCOTT LIEBERMAN,  
Bar No. 024306,**

Respondent.

No. 17-2484

**PROBABLE CAUSE ORDER**

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on December 8, 2017, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of 8-0-1<sup>1</sup>, the Committee finds probable cause exists to file a complaint against Respondent in File No. 17-2484.

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

Parties may not file motions for reconsideration of this Order.

**DATED** this 21 day of December, 2017.

*Lawrence F. Winthrop*

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

<sup>1</sup> Committee member Daisy Flores did not participate in this matter.

Original filed this 2nd day  
of December, 2017, with:

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

Copy mailed this 26<sup>th</sup> day  
of December, 2017, to:

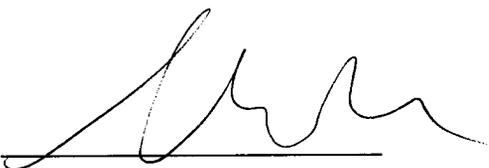
Scott Lieberman  
Law Office of Scott Lieberman, PLLC  
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Tucson, Arizona 85718-5370  
Email: [scott@liebermanlawaz.com](mailto:scott@liebermanlawaz.com)  
Respondent

Copy emailed this 26<sup>th</sup> day  
of December, 2017, to:

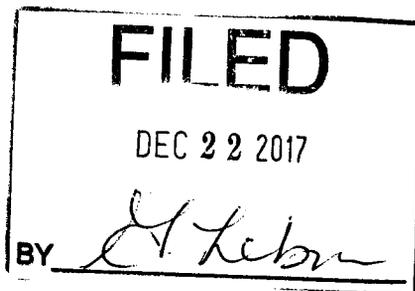
Attorney Discipline Probable Cause Committee  
of the Supreme Court of Arizona  
1501 West Washington Street, Suite 104  
Phoenix, Arizona 85007  
E-mail: [ProbableCauseComm@courts.az.gov](mailto:ProbableCauseComm@courts.az.gov)

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

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

A handwritten signature in black ink, appearing to be 'LRO', written over a horizontal line.

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



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

**SCOTT LIEBERMAN,  
Bar No. 024306,**

Respondent.

No. 17-1772

**PROBABLE CAUSE ORDER**

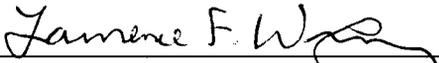
The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on December 8, 2017, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of 8-0-1<sup>1</sup>, the Committee finds probable cause exists to file a complaint against Respondent in File No. 17-1772.

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

Parties may not file motions for reconsideration of this Order.

**DATED** this 21 day of December, 2017.

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

<sup>1</sup> Committee member Daisy Flores did not participate in this matter.

Original filed this 22nd day  
of December, 2017, with:

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

Copy mailed this 26th day  
of December, 2017, to:

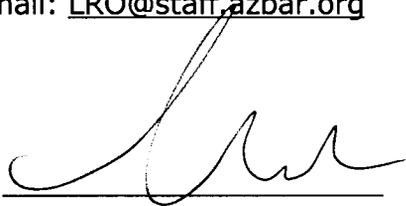
Scott Lieberman  
Law Office of Scott Lieberman PLLC  
4554 E. Sunrise Drive  
Tucson, Arizona 85718-5370  
Respondent

Copy emailed this 26th day  
of December, 2017, to:

Attorney Discipline Probable Cause Committee  
of the Supreme Court of Arizona  
1501 West Washington Street, Suite 104  
Phoenix, Arizona 85007  
E-mail: [ProbableCauseComm@courts.az.gov](mailto:ProbableCauseComm@courts.az.gov)

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

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

A handwritten signature in black ink, appearing to be 'LRO', written over a horizontal line.

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

FILED

DEC 22 2017

BY



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

No. 17-1353

SCOTT LIEBERMAN,  
Bar No. 024306,

PROBABLE CAUSE ORDER

Respondent.

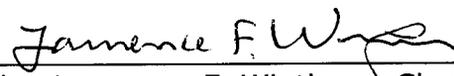
The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on December 8, 2017, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of 8-0-1<sup>1</sup>, the Committee finds probable cause exists to file a complaint against Respondent in File No. 17-1353.

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

Parties may not file motions for reconsideration of this Order.

**DATED** this 21 day of December, 2017.

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

<sup>1</sup> Committee member Daisy Flores did not participate in this matter.

Original filed this 22<sup>nd</sup> day  
of December, 2017, with:

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

Copy mailed this 26<sup>th</sup> day  
of December, 2017, to:

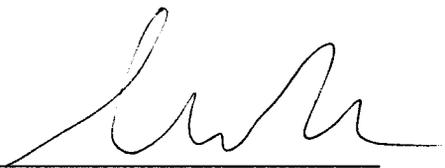
Scott Lieberman  
Law Office of Scott Lieberman, PLLC  
4554 E. Sunrise Drive  
Tucson, Arizona 85718-5370  
Email: [scott@liebermanlawaz.com](mailto:scott@liebermanlawaz.com)  
Respondent

Copy emailed this 26<sup>th</sup> day  
of December, 2017, to:

Attorney Discipline Probable Cause Committee  
of the Supreme Court of Arizona  
1501 West Washington Street, Suite 104  
Phoenix, Arizona 85007  
E-mail: [ProbableCauseComm@courts.az.gov](mailto:ProbableCauseComm@courts.az.gov)

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

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



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

**FILED**  
DEC 22 2017  
BY *S. Lieberman*

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

No. 17-0761

**SCOTT LIEBERMAN,  
Bar No. 024306,**

**PROBABLE CAUSE ORDER**

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on December 8, 2017, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of 8-0-1<sup>1</sup>, the Committee finds probable cause exists to file a complaint against Respondent in File No. 17-0761.

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

Parties may not file motions for reconsideration of this Order.

**DATED** this 21 day of December, 2017.

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

<sup>1</sup> Committee member Daisy Flores did not participate in this matter.

Original filed this 22nd day  
of December, 2017, with:

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

Copy mailed this 26th day  
of December, 2017, to:

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4554 E. Sunrise Drive  
Tucson, Arizona 85718-5370  
Email: [scott@liebermanlawaz.com](mailto:scott@liebermanlawaz.com)  
Respondent

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of December, 2017, to:

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

