BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA, **THOMAS C. MCDANIEL III, Bar No. 016986** Respondent.	**PDJ-2017-9097** **FINAL JUDGMENT AND ORDER** [State Bar File No. 16-3913] **FILED JANUARY 2, 2018**

This proceeding went to an aggravation/mitigation hearing before a hearing panel which rendered its decision on October 26, 2017. No appeal having been filed, the decision of the hearing panel is final under Rule 58(k), Ariz. R. Sup. Ct.

IT IS ORDERED Respondent, **THOMAS C. McDANIEL III**, **Bar No. 016986,** is suspended from the practice of law for a period of one (1) year to be effective October 26, 2017. This one (1) year suspension is to be served consecutive to his two (2) year suspension imposed in PDJ-2017-9016, for conduct in violation of his duties and obligations as a lawyer as stated in the Hearing Panel's Decision and Order Imposing Sanctions.

IT IS FURTHER ORDERED Mr. McDaniel 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. McDaniel shall pay the costs and expenses in the amount of $2,000.00 of the State Bar of Arizona in accordance with Rule 60(b), Ariz. R. Sup. Ct. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office regarding these disciplinary proceedings.

DATED this 2nd day of January, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed/mailed
this 2nd day of January, 2018, to:

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Respondent

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA, **THOMAS C. MCDANIEL, III, Bar No. 016986** Respondent.	**PDJ 2017-9097** **DECISION AND ORDER IMPOSING SANCTIONS** [State Bar No. 16-3913] **FILED OCTOBER 26, 2017**

On October 13, 2017, this matter proceeded before the Hearing Panel, composed of attorney member Stanley R. Lerner, and volunteer public member Archer Shelton, and the Presiding Disciplinary Judge, William J. O'Neil. Nicole S. Kaseta appeared on behalf of the State Bar. Mr. McDaniel did not appear. Exhibits 1- 20 were admitted. At the conclusion, the State Bar requested a one (1) year consecutive suspension.

PROCEDURAL HISTORY

The State Bar of Arizona ("SBA") filed its complaint on August 2, 2017. On August 4, 2017, the complaint was served on Mr. McDaniel by certified, delivery restricted mail, as well as by regular first class mail, pursuant to Rules 47(c) and 58(a) (2), Ariz. R. Sup. Ct. The Presiding Disciplinary Judge ("PDJ") was assigned to the matter. A notice of default was properly issued on August 30, 2017, given

Mr. McDaniel's failure to file an answer or otherwise defend. Mr. McDaniel did not file an answer or otherwise defend against the complaint's allegations and default was properly entered on September 20, 2017, at which time a notice of aggravation and mitigation hearing was sent to all parties notifying them the aggravation mitigating hearing was scheduled for October 13, 2017 at 3:00 p.m., at the State Courts Building, 1501 West Washington, Phoenix, Arizona 85007-3231. On October 13, 2017, the Hearing Panel, heard argument and considered evidence.

The purpose of an aggravation/mitigation hearing is not only to weigh mitigating and aggravating factors, but also to assure there is a nexus between a respondent's conduct deemed admitted and the merits of the State Bar's case. A respondent against whom a default has been entered may no longer litigate the merits of the factual allegations. Mr. McDaniel was afforded these rights but did not appear.

FINDINGS OF FACT

The facts listed below are those set forth in the SBA's complaint and were deemed admitted by Mr. McDaniel's default. Due process requires however a hearing panel to independently determine whether the ethical violations have been proven by clear and convincing evidence. A hearing panel must also exercise its discretion in deciding the appropriate sanction. If the hearing panel determines that sanctions are warranted, then it independently determines which sanctions should be

imposed. It is not the function of the panel to endorse or "rubber stamp" any request for sanctions.

1. Mr. McDaniel was a lawyer licensed to practice law in the state of Arizona having been first admitted to practice in Arizona on May 18, 1996.

2. On June 14, 2016, Mr. McDaniel was administratively suspended from the practice of law for failing to pay dues.

COUNT ONE (File no. 16-3913/Annie Coronado)

3. Annie Coronado (Coronado) filed a petition for dissolution of marriage in pro per on or about July 17, 2013. [Ex.6.]

4. On September 16, 2014, Mr. McDaniel commenced representing Coronado in her dissolution proceedings. [Ex. 5, Bates SBA000007.]

5. Coronado paid Mr. McDaniel a flat fee of $2,500.00. [Ex.1]

6. On January 12, 2015, Mr. McDaniel filed a pretrial statement for Coronado. [Ex.7.]

7. On January 28, 2015, the parties settled the matter at a settlement conference. Mr. McDaniel attended this settlement conference for Coronado. Notes from the settlement conference state: "The parties have agreed to abide [by] the provisions of a decree proposed in June of 2014 . . . modifications as to parenting time as recorded on the record, child support shall be calculated and shall be effective February 1, 2015. No arrearages are owed to either party." [Ex. 8.]

8. Mr. McDaniel never completed the requisite documents to effectuate this settlement.

9. On June 2, 2015, the court scheduled a status conference for July 8, 2015. [Ex. 9.]

10. On July 8, 2015, the court held this status conference.

11. Mr. McDaniel appeared at the status conference. At this status conference, opposing counsel informed the court that "the parties are waiting to declare bankruptcy." The court placed the case on the inactive calendar for 120 days and scheduled another status conference for November 9, 2015. [Ex. 10.]

12. On November 9, 2015, the court held another status conference. Mr. McDaniel appeared for Coronado at this status conference. At this status conference, opposing counsel requested that the matter be continued for 120 days. The court granted this request and scheduled a status conference for March 10, 2016. [Ex. 11.]

13. On March 10, 2016, the court held another status conference. Mr. McDaniel appeared on behalf of Coronado at this status conference. At this status conference, Mr. McDaniel and opposing counsel requested "additional time to allow the parties' bankruptcy case to proceed." The court scheduled a review hearing for June 20, 2016 and advised that counsel "are given leave to file a written stipulation to maintain this matter on the active calendar or otherwise dispose of the case or to

lodge a consent decree." Mr. McDaniel is copied on the court's minute entry scheduling the review hearing for June 20, 2016. [Ex. 12.]

14. On June 20, 2016, the court held the review hearing. Mr. McDaniel did not attend the review hearing. In a minute entry from the same date, the court wrote: "The Court notes that it attempted but was unable to contact [Mr. McDaniel] telephonically immediately prior to today's hearing." At the review hearing, opposing counsel informed the court that the parties filed for bankruptcy. At the review hearing, the court ordered that the case would remain on the inactive calendar for sixty days. The court scheduled another review hearing for August 22, 2016. The court copied Mr. McDaniel on its minute entry scheduling the August 22, 2016 review hearing. [Ex. 13.]

15. On August 22, 2016, the court held the review hearing. Mr. McDaniel did not attend this review hearing. At this review hearing, the court ordered that the case remain on the inactive calendar until December 31, 2016 and that "[t]he parties are given leave to file a Decree of Dissolution if the bankruptcy is finished before that date, and if the bankruptcy is not resolved, the parties can file a Stipulation to have it continued on the inactive calendar." [Ex. 14.]

16. On December 9, 2016, Coronado filed a notice of change of representation. In her notice of change of representation, Coronado wrote: ". . . [Coronado] has fired [Mr. McDaniel] and chosen to represent herself from this point

forward. [Mr. McDaniel] has been un reachable and held up this divorce case. [Coronado] will self represent for the duration of this case in order to complete filings with [opposing counsel].” [Ex. 15.]

17. Coronado has not spoken with Mr. McDaniel since January 28, 2015 at the settlement conference. Coronado attempted to communicate with Mr. McDaniel numerous times after the settlement conference but Mr. McDaniel failed to return Coronado’s voicemail messages. Coronado is now divorced but she had to complete the divorce settlement herself. [Ex. 1 & 16.]

18. On December 7, 2016, bar counsel sent Mr. McDaniel a screening letter requesting a response by December 27, 2016. [Ex. 2.] Bar counsel then emailed the letter to Mr. McDaniel [Ex. 3.] The email was confirmed as delivered. [Ex. 4.]

19. Mr. McDaniel did not respond to the screening letter.

CONCLUSIONS OF LAW

Mr. McDaniel failed to file an answer or otherwise defend against the allegations in the SBA’s complaint. Default was properly entered and the allegations are therefore deemed admitted pursuant to Rule 58(d), Ariz. R. Sup. Ct. Based upon the facts deemed admitted, the Hearing Panel finds by clear and convincing evidence that Mr. McDaniel violated the following: Rule 42, Ariz. R. Sup. Ct., Ethical Rules 1.3, 1.4, 1.16(d), 3.2, 3.4(c), 8.1(b), and 8.4(d), and Rules 54(c) and 54(d), Ariz. R. Sup. Ct.

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. McDaniel violated his duty to his client by violating ERs 1.3 and 1.4. Mr. McDaniel violated his duty as a professional by violating ERs 1.16(d), 8.1(b), and Rule 54(d). Mr. McDaniel violated his duty to the legal system by violating ERs 3.2, 3.4(c), and 8.4(d), and Rule 54(c).

Mental State and Injury:

Mr. McDaniel violated his duty to his client, thereby implicating *Standard* 4.4. *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; or
>
> (b) a lawyer engages in a pattern of neglect and causes injury or potential injury to a client.

We find Mr. McDaniel knowingly failed to perform services for Coronado, including by failing to prepare settlement documents and attend review hearings. This caused injury to Coronado that the settlement was delayed and she had to complete the divorce settlement herself. Therefore, *Standard* 4.42 applies.

Mr. McDaniel also violated his duty owed as a professional, 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."

We find Mr. McDaniel knowingly engaged in conduct that is a violation of his duty as a professional. Mr. McDaniel abandoned his client and failed to respond to the SBA's investigation. This caused injury to Coronado in that her divorce settlement was delayed and Coronado had to complete the divorce settlement herself. Therefore, *Standard* 7.2 applies.

Mr. McDaniel also violated his duty to the legal system, which implicates *Standard* 6.0. *Standard* 6.22 states, "Suspension is appropriate when a lawyer knowingly violates a court order or rule, and there is injury or potential injury to a client or a party, or interference or potential interference with legal proceedings."

Mr. McDaniel knowingly violated the court's orders scheduling review hearings for June 20, 2016 and August 22, 2016 by failing to attend these review

hearings. This caused injury to Coronado in that the completion of her divorce settlement was delayed. Therefore, *Standard* 6.22 applies.

AGGRAVATING AND MITIGATING FACTORS

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

- *Standard* 9.22(a), prior disciplinary offenses. Mr. McDaniel was suspended for two years effective April 21, 2017 and ordered to pay restitution in SBA file no. 15-2321 for violating ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.16(d), 3.4(c), 8.1(b), and Rules 54(c) and 54(d). Mr. McDaniel was informally reprimanded in SBA file no. 03-1872 for violating ERs 1.2, 1.3, 1.4, and Rule 53(f). Mr. McDaniel was also suspended for six months and one day in SBA file numbers 03-2202, 03-2319, and 04-1510 for violating ERs 1.1, 1.2, 1.2, 1.4, 1.5, 1.16, 3.2, 3.3, 5.3, 8.1, and 8.4(c) and (d).

- *Standard* 9.22(e), bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency. Mr. McDaniel failed to respond to the SBA's investigation.

- *Standard* 9.22(i), substantial experience in the practice of law. Mr. McDaniel first became licensed to practice law in Arizona in 1996.

The Hearing Panel finds there are no applicable mitigating factors.

PROPORTIONALITY

In the past, the Supreme Court has consulted similar cases in an attempt to assess the proportionality of the sanction recommended. *See In re Struthers*, 179 Ariz. 216, 226, 887 P.2d 789, 799 (1994). The Supreme Court has recognized that the concept or proportionality review is "an imperfect process." *In re Owens*, 182 Ariz. 121, 127, 893 P.3d 1284, 1290 (1995). This is because no two cases "are ever alike." *Id.*

To have an effective system of professional sanctions, there must be internal consistency, and it is appropriate to examine sanctions imposed in cases that are factually similar. *See In re Peasley*, 208 Ariz. 27, 35, 90 P.3d 764, 772 (2004). However, the discipline in each case must be tailored to the individual case, as neither perfection nor absolute uniformity can be achieved. *Id.* at 208 Ariz. at ¶ 61, 90 P.3d at 778 (citing *In re Alcorn*, 202 Ariz. 62, 76, 41 P.3d 600, 614 (2002); *In re Wines*, 135 Ariz. 203, 207, 660 P.2d 454, 458 (1983)).

In *In Re Ventura*, SBA file Nos. 14-1940, 14-2273, and 14-2528, Ventura was suspended from the practice of law for four years and ordered to pay restitution. In the three counts, Ventura abandoned clients and failed to diligently represent and adequately communicate with clients. Ventura also failed to comply with certain court orders. Ventura further failed to cooperate with the SBA. Ventura violated ERs 1.2(a), 1.3, 1.4, 1.5(b), 1.15(d), 1.16(d), 3.4(c), 8.1(b), 8.4(d), and Rules 43,

54(c), and 54(d), Ariz. R. Sup. Ct. The aggravating factors included a pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding, vulnerability of the victim, and substantial experience in the practice of law. The mitigating factors included absence of a prior disciplinary record and personal or emotional problems.

In *In Re Ware*, SB-08-0999, Ware was suspended for two years, placed on probation for two years to include LOMAP and MAP, and ordered to pay restitution. Ware accepted retainers from two clients and virtually abandoned such clients. Ware failed to provide competent diligent representation, charged an unreasonable fee, failed to return unearned fees, and failed to cooperate in the SBA's investigation. Ware violated ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.2, 8.4(d), and Rules 32(c)(3), 43(d), and 53(f), Ariz. R. Sup. Ct. Aggravating factors included dishonest or selfish motive, a pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding, vulnerability of victim, substantial experience in the practice of law, and indifference to making restitution. The sole mitigating factor was lack of a prior disciplinary record.

In *In Re McCarthy*, SB-01-0121-D, McCarthy was suspended for 2 years, placed on probation for 2 years, and ordered to pay restitution. McCarthy failed to communicate or consult with clients, failed to act with reasonable diligence, failed to keep his address current with membership records, failed to make reasonable

efforts to expedite litigation consistent with his client's interests, failed to return a client's file, failed to attend two court hearings, made misrepresentations to opposing counsel and bar counsel, charged an unreasonable fee, failed to properly withdraw from representation, was dishonest in representing his client, and engaged in conduct prejudicial to the administration of justice. McCarthy also failed to respond to the SBA's investigation. McCarthy violated ERs 1.2, 1.3, 1.5(a), 1.16(d), 3.2, 8.1(b), 8.4(c), 8.4(d), and Rules 31(c)(3), 51(h), and 51(i), Ariz. R. Sup. Ct. Aggravating factors included a pattern of misconduct, multiple offenses, and bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency. The sole mitigating factor was absence of a prior disciplinary record.

This case is similar to the above in that they all involve, among other things, abandonment or virtual abandonment of a client.

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 Hearing Panel has made the above findings of fact and conclusions of law. The Hearing Panel determined the appropriate sanction using the facts deemed admitted, application of the *Standards* including the aggravating factors and absence of any mitigating factors, and the goals of the attorney discipline system. Based upon the above, the Hearing Panel orders as follows:

1. Mr. McDaniel shall be suspended from the practice of law for a period of one (1) year effective immediately with terms and conditions of reinstatement to be determined at the time of reinstatement. Mr. McDaniel's one (1) year suspension shall be served consecutive to his two (2) year suspension imposed in PDJ-2017-9016.

2. Mr. McDaniel shall pay all costs and expenses incurred by the SBA and the Office of the Presiding Disciplinary Judge in this proceeding.

A final judgment and order shall follow.

DATED this 26th day of October, 2017.

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

Archer Shelton
Archer Shelton, Volunteer Public Member

Stanley R. Lerner
Stanley R. Lerner, Volunteer Attorney Member

Copy of the foregoing mailed/emailed
this 26th day of October, 2017, to:

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Respondent

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by: AMcQueen

OFFICE OF THE
PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF ARIZONA

AUG 2 2017

FILED

BY

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BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A SUSPENDED MEMBER OF THE STATE BAR OF ARIZONA, **THOMAS C. MCDANIEL III, Bar No. 016986,** Respondent.	**PDJ 2017-9097** **COMPLAINT** [State Bar No. 16-3913]

Complaint is made against Respondent as follows:

GENERAL ALLEGATIONS

1. Respondent was a lawyer licensed to practice law in the state of Arizona having been first admitted to practice in Arizona on May 18, 1996.

2. On June 14, 2016, Respondent was administratively suspended from the practice of law for failing to pay dues.

COUNT ONE (File no. 16-3913/Coronado)

3. Annie Coronado (Coronado) filed a petition for dissolution of marriage in pro per on or about July 17, 2013.

4. On September 16, 2014, Respondent commenced representing Coronado in her dissolution proceedings.

5. Coronado paid Respondent a flat fee of $2,500.00.

6. On January 12, 2015, Respondent filed a pretrial statement for Coronado.

7. On January 28, 2015, the parties settled the matter at a settlement conference.

8. Respondent attended this settlement conference for Coronado.

9. Notes from the settlement conference state: "The parties have agreed to abide [by] the provisions of a decree proposed in June of 2014 . . . modifications as to parenting time as recorded on the record, child support shall be calculated and shall be effective February 1, 2015. No arrearages are owed to either party."

10. Respondent never completed the requisite documents to effectuate this settlement.

11. On June 2, 2015, the court scheduled a status conference for July 8, 2015.

12. On July 8, 2015, the court held this status conference.

13. Respondent appeared at the status conference.

14. At this status conference, opposing counsel informed the court that "the parties are waiting to declare bankruptcy."

15. The court placed the case on the inactive calendar for 120 days and scheduled another status conference for November 9, 2015.

16. On November 9, 2015, the court held another status conference.

17. Respondent appeared for Coronado at this status conference.

18. At this status conference, opposing counsel requested that the matter be continued for 120 days.

19. The court granted this request and scheduled a status conference for March 10, 2016.

20. On March 10, 2016, the court held another status conference.

21. Respondent appeared on behalf of Coronado at this status conference.

22. At this status conference, Respondent and opposing counsel requested "additional time to allow the parties' bankruptcy case to proceed."

23. The court scheduled a review hearing for June 20, 2016 and advised that counsel "are given leave to file a written stipulation to maintain this matter on the active calendar or otherwise dispose of the case or to lodge a consent decree."

24. Respondent is copied on the court's minute entry scheduling the review hearing for June 20, 2016.

25. On June 20, 2016, the court held the review hearing.

26. Respondent did not attend the review hearing.

27. In a minute entry from the same date, the court wrote: "The Court notes that it attempted but was unable to contact [Respondent] telephonically immediately prior to today's hearing."

28. At the review hearing, opposing counsel informed the court that the parties filed for bankruptcy.

29. At the review hearing, the court ordered that the case would remain on the inactive calendar for sixty days.

30. The court scheduled another review hearing for August 22, 2016.

31. The court copied Respondent on its minute entry scheduling the August 22, 2016 review hearing.

32. On August 22, 2016, the court held the review hearing.

33. Respondent did not attend this review hearing.

34. At this review hearing, the court ordered that the case remain on the inactive calendar until December 31, 2016 and that "[t]he parties are given leave to file a Decree of Dissolution if the bankruptcy is finished before that date, and if the bankruptcy is not resolved, the parties can file a Stipulation to have it continued on the inactive calendar."

35. On December 9, 2016, Coronado filed a notice of change of representation.

36. In her notice of change of representation, Coronado wrote: ". . . [Coronado] has fired [Respondent] and chosen to represent herself from this point forward. [Respondent] has been un reachable and held up this divorce case. [Coronado] will self represent for the duration of this case in order to complete filings with [opposing counsel]."

37. Coronado has not spoken with Respondent since January 28, 2015 at the settlement conference.

38. Coronado attempted to communicate with Respondent numerous times after the settlement conference but Respondent failed to return Coronado's voicemail messages.

39. Coronado is now divorced but she had to complete the divorce settlement herself.

40. On December 7, 2016, bar counsel sent Respondent a screening letter requesting a response by December 27, 2016.

41. Respondent did not respond to the screening letter.

42. Respondent's conduct in this count violated Rule 42, Ariz. R. Sup. Ct., Ethical Rules 1.3, 1.4, 1.16(d), 3.2, 3.4(c), 8.1(b), and 8.4(d), and Rules 54(c) and 54(d), Ariz. R. Sup. Ct.

DATED this 2nd day of August, 2017.

STATE BAR OF ARIZONA

Nicole S. Kaseta
Staff Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 2nd day of August, 2017.

by: Karen E. Coleman
NSK:kec

FILED

JUL 21 2017

BY G. Leba

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, **THOMAS C. MCDANIEL** **Bar No. 016986** Respondent.	No. 16-3913 **PROBABLE CAUSE ORDER**

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on July 7, 2017, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation.

By a vote of 8-0-1[1], the Committee finds probable cause exists to file a complaint against Respondent in File No. 16-3913.

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 July, 2017

Lawrence F. Winthrop

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

[1] Committee member Charles Muchmore did not participate in this matter.

Original filed this 21st day
of July, 2017 with:

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Copy emailed this 24th day
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