

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

JOHN B. BREWER,
Bar No. 018207

Respondent.

PDJ 2018-9127

**FINAL JUDGMENT AND
ORDER BY CONSENT**

[State Bar No. 18-2616]

FILED JANUARY 4, 2019

The Presiding Disciplinary Judge accepted the Agreement for Discipline by Consent filed by the parties on December 13, 2018.

Accordingly:

IT IS ORDERED Respondent, **JOHN B. BREWER, Bar No. 018027** is suspended from the practice of law for sixty (60) days, effective as of the date of the conclusion of his interim suspension.

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

IT IS FURTHER ORDERED John B. Brewer shall participate in the following program:

LRO Member Assistance Program (MAP): Mr. Brewer shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from the

date of this order, to schedule an assessment. The Compliance Monitor shall develop terms and conditions of participation if the results of the assessment so indicate and the terms, including reporting requirements, shall be incorporated herein. Mr. Brewer will be responsible for any costs associated with participation with compliance.

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

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

IT IS FURTHER ORDERED Mr. Brewer shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,200.00, 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 4th day of January, 2019

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/mailed
this 4th day of January, 2019, 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

J. Scott Rhodes
Jennings Strouss & Salmon PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Email: srhodes@jsslaw.com
Respondent's Counsel

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

JOHN B. BREWER,
Bar No. 018207

Respondent.

PDJ-2018-9127

**DECISION ACCEPTING
DISCIPLINE BY CONSENT**

[State Bar No. 18-2616]

FILED JANUARY 4, 2019

Under Rule 57(a), Ariz. R. Sup. Ct.,¹ an Agreement for Discipline by Consent (“Agreement”), was filed on December 13, 2018. A Probable Cause Order issued on October 31, 2018. No formal complaint has been filed. Mr. Brewer is represented by J. Scott Rhodes, *Jennings, Strouss & Salmon, PLC* and the State Bar of Arizona is represented by Staff 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.

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

Brewer has voluntarily waived the right to an adjudicatory hearing, and waived all motions, defenses, objections or requests that could be asserted upon approval of the proposed form of discipline. Pursuant to Rule 53(b)(3), as the complainant is the State Bar no formal notice to the complainant is required.

The Agreement details a factual basis to support the conditional admissions. It is incorporated by this reference. Mr. Brewer admits violating Rule 42, ER 8.4(b) and Rule 54(g). Upon acceptance of the agreement the parties stipulate to a sixty (60) day suspension followed by two (2) years of probation, the term of which shall be participation in the Member Assistance Program (MAP), and the payment of costs of \$1,200.00 within thirty (30) days from this order. Mr. Brewer was interim suspended for sixty (60) days and this is effectively a 120-day suspension.

Mr. Brewer consumed alcohol prior to driving a U-Haul box truck. The truck was not equipped with an ignition interlock device which he was required to use due to a previous misdemeanor DUI conviction. He struck and damaged a fire sprinkler system belonging to another while driving that truck. He admitted to police that he had been drinking alcohol prior to driving. His blood alcohol concentration was .322 percent.

He entered a guilty plea to Endangerment a Class 6 Designated Felony and Driving or Actual Physical Control While under the Influence of Intoxicating Liquor,

a Class 1 Misdemeanor. He self-reported to the State Bar. He was sentenced to three (3) years of probation and ninety (90) days in jail and substance abuse counseling.

The parties stipulate that restitution is not an issue as Mr. Brewer reimbursed the owner of the sprinkler system for all property damage.

The parties agree *Standard 5.12*, applies given the facts and circumstances. It provides that suspension is generally appropriate when a lawyer knowingly engages in criminal conduct which does not contain the elements in *Standard 5.11* and adversely reflects on the lawyer's fitness to practice.

Mr. Brewer's conduct violated his duty to the public. He knowingly drove a motor vehicle while under the influence of alcohol and caused damage to the proper of another. This caused actual injury to the public. A short-term suspension is in accordance with the *Standards*.

In aggravation, *Standard 9.22(a)* applies as this is his third alcohol-related conviction and there is a pattern of misconduct. *Standard 9.22(i)* applies as he has substantial experience in the practice of law and *Standard 9.22(k)* as his conduct was illegal. In mitigation, *Standard 9.32(d)* applies as Mr. Brewer timely made a good faith effort to rectify the effect of his misconduct. *Standard 9.32(e)* applies because he self-reported and then cooperated fully and freely with the State Bar.

Now Therefore,

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 4th day of January, 2019

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/mailed
this 4th day of January, 2019, to:

Bradley F. Perry
Staff Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
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J. Scott Rhodes
Jennings Strouss & Salmon PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Email: srhodes@jsslaw.com
Respondent's Counsel

by: AMcQueen

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

DEC 13 2018

FILED
BY 

J. Scott Rhodes, Bar No. 016721
Kerry A. Hodges, Bar No. 025547
Jennings, Strouss & Salmon, PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Telephone 602-262-5862
Email: srhodes@jsslaw.com
Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**JOHN B. BREWER,
Bar No. 018207,**

Respondent.

PDJ 2018 - 9127

State Bar File Nos. 18-2616

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, John B. Brewer, who is represented in this matter by counsel, J. Scott Rhodes and Kerry A. Hodges, hereby submit their Agreement for Discipline by Consent,

pursuant to Rule 57(a), Ariz. R. Sup. Ct. A Probable Cause Order was entered on October 31, 2018, but no 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.

The State Bar is the Complainant in this matter, therefore no notice of this Agreement is required pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, Ariz. R. Sup. Ct., ER 8.4(b) and Rule 54(g), Ariz. R. Sup. Ct. Upon acceptance of this Agreement, Respondent agrees to accept imposition of the following discipline: 60-day suspension¹ followed by two (2) years of probation, the term of which shall be participation in the Member Assistance Program (MAP). Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within thirty (30) days from the date of this Order, and if costs are not paid within

¹ The parties agree that a 120-day suspension is the appropriate sanction for the conduct at issue in this matter. However, due to the unique nature of Respondent's interim suspension, a 60-day suspension is being imposed.

the thirty (30) days, interest will begin to accrue at the legal rate.² The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

FACTS

GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on July 1, 1997.

COUNT ONE (File No. 18-2616/ Brewer)

2. On April 15, 2018, Respondent consumed alcohol prior to driving a U-Haul box truck. The truck was not equipped with an ignition interlock device which Respondent was required to use due to a previous misdemeanor DUI conviction.

3. Respondent struck and damaged a fire sprinkler system belonging to another while driving the U-Haul.

4. Respondent was contacted by police and admitted to drinking prior to driving the truck. Respondent's blood alcohol concentration was .322 percent.

5. Respondent was arrested and charged with Aggravated Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs,

² 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.

a Class 4 Felony.

6. On August 27, 2018, Respondent entered a guilty plea to Endangerment, a Class 6 Designated Felony, and Driving or Actual Physical Control While Under the Influence of Intoxicating Liquor or Drugs, a Class 1 Misdemeanor.

7. Respondent self-reported his acceptance of the plea to the State Bar on September 5, 2018.

8. On September 14, 2018, Respondent was sentenced to three (3) years of probation, ninety (90) days initial jail, and substance abuse counseling at the probation department's request.

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 8.4(b), and Rule 54(g), Ariz. R. Sup. Ct.

RESTITUTION

Restitution is not an issue in this matter. Respondent reimbursed the owner of the sprinkler system for all property damage.

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: 60-day suspension followed by two (2) years of probation, the term of which shall be participation in the Member Assistance Program (MAP).

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* 5.1 is the appropriate *Standard* given the facts and circumstances of this matter. *Standard* 5.1 provides that "[s]uspension is generally appropriate when a lawyer knowingly engages in criminal conduct which

does not contain the elements listed in Standard 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.”

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 knowingly drove a motor vehicle while under the influence of alcohol and caused damage to the property of another. Respondent 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 injury to the public.

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:

9.22(a) Pattern of Misconduct: Respondent's 2018 conviction is his third alcohol-related conviction. Respondent was convicted of a misdemeanor DUI in 2011 and in 2015.

9.22(i) Substantial Experience in the Practice of Law: Respondent has been practicing law for twenty-one (21) years.

9.22(k) Illegal Conduct: Respondent's conduct resulted in his conviction of a criminal offense.

In mitigation:

9.32(d) Timely Good-Faith Effort to Rectify the Effect of the Misconduct: Respondent met with representatives of the owner of the sprinkler system shortly after the accident, took responsibility for all property damage caused by his actions, and paid for the necessary repairs.

9.32(e) Full and Free Disclosure to Disciplinary Board and Cooperative Attitude Toward Proceedings: Respondent self-reported his misconduct to the State Bar and then cooperated fully and freely with the State Bar in the proceedings that followed.

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 parties agree that a 120-day suspension is the appropriate sanction for Respondent's conduct.³ However, due to the unique nature of Respondent's interim suspension, the parties are stipulating to a 60-day suspension. Pursuant to Court order, Respondent was placed on interim suspension for sixty (60) days. At the end of sixty (60) days, Respondent's suspension automatically became interim probation. As of the date of filing this Consent, Respondent is on interim probation. Instead of stipulating to a 120-day suspension

³ This consent, if used to determine proportionality in a future matter, should be considered a 120-day suspension. For purposes of Rule 72, the suspension shall be considered as sixty (60) days. In connection with his previous interim suspension, Respondent chose, with the written consent of his clients, to associate with another lawyer during the period of suspension. In connection with the current 60-day suspension, Respondent must provide notice of the suspension as required by Rule 72(a), but he does not need to obtain new written client consents to association of counsel or file a new "Notice of Association During Pendency of Suspension" in all client matters.

retroactive to the date of interim suspension, which would encompass time spent on interim probation, the parties, taking the period of interim suspension into account, now are stipulating to a 60-day suspension making Respondent's total time suspended 120 days.

The sanction is appropriate to both protect the public and help rehabilitate Respondent. The public will be protected because Respondent will have time to further participate in and pursue a treatment plan with appropriate safeguards to prevent alcohol abuse in the future.

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 of a 60-day suspension, two (2) years of probation with MAP, and the

imposition of costs and expenses. A proposed form of Order is attached hereto as Exhibit B.

DATED this 12th day of December 2018.

STATE BAR OF ARIZONA



Bradley F. Perry
Staff 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 _____ day of December, 2018.

John B. Brewer
Respondent

DATED this _____ day of December, 2018.

Jennings, Strouss & Salmon, PLC

J. Scott Rhodes
Counsel for Respondent

imposition of costs and expenses. A proposed form of Order is attached hereto as Exhibit B.

DATED this 12th day of December 2018.

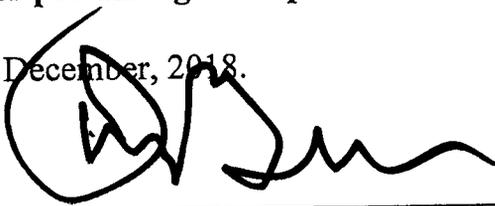
STATE BAR OF ARIZONA



Bradley F. Perry
Staff Bar Counsel

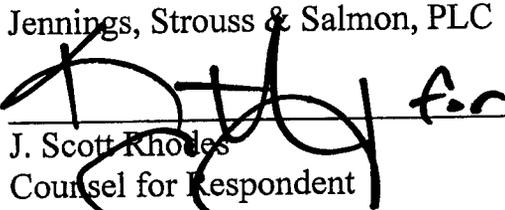
This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property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

DATED this 13th day of December, 2018.



John B. Brewer
Respondent

DATED this 13th day of December, 2018.

Jennings, Strouss & Salmon, PLC


J. Scott Rhodes
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 13th day of December, 2018.

Copy of the foregoing emailed
this 13th day of December, 2018, to:

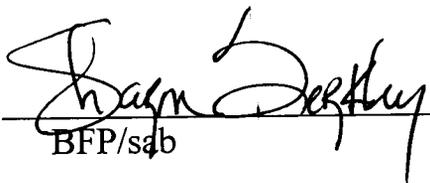
The Honorable William J. O'Neil
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
E-mail: officepdj@courts.az.gov

Copy of the foregoing mailed/emailed
this 13th day of December, 2018, to:

J. Scott Rhodes
Kerry A. Hodges
Jennings, Strouss & Salmon, PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Email: srhodes@jsslaw.com
Respondent's Counsel

Copy of the foregoing hand-delivered
this 13th day of December, 2018, to:

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

by: 
BFP/sab

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

FILED
OCT 31 2018
BY *H. Lebon*

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

**JOHN B. BREWER,
Bar No. 018207,**

Respondent.

No. 18-2616

PROBABLE CAUSE ORDER

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on October 12, 2018, 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 6-0-3¹, the Committee finds probable cause exists to file a complaint against Respondent in File No. 18-2616.

IT IS THEREFORE ORDERED pursuant to Rule 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 30 day of October, 2018.

Lawrence F. Winthrop

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

¹ Committee members Ben Harrison, Charles Muchmore and Walt Davis did not participate in this matter.

Original filed this 31st day
of October, 2018, with:

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

Copy mailed this 31st day
of October, 2018, to:

J. Scott Rhodes
Jennings, Strouss & Salmon, PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Respondent's Counsel

Copy mailed this 31st day
of October, 2018, 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

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
E-mail: LRO@staff.azbar.org

By: _____

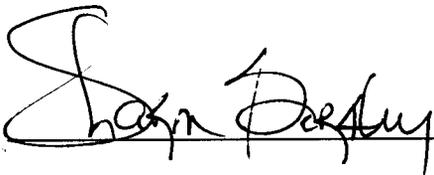


EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona,
John B. Brewer Bar No. 018207, Respondent

File No(s). 18-2616

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

Total for staff investigator charges \$ 0.00

TOTAL COSTS AND EXPENSES INCURRED \$ 1,200.00

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**JOHN B. BREWER,
Bar No. 018207,**

Respondent.

PDJ 2018- _____

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 18-2616]

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, **John B. Brewer**, is suspended from the practice of law for sixty (60) days, effective immediately from the date of this order.

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

IT IS FURTHER ORDERED John B. Brewer shall participate in the following program:

1. LRO MAP: Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from the date of service of this Order, to schedule an assessment. The Compliance Monitor shall develop terms and

conditions of participation if the results of the assessment so indicate and the terms, including reporting requirements, shall be incorporated herein. Respondent will be responsible for any costs associated with participation with compliance.

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.

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 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 December, 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 December, 2018.

Copies of the foregoing mailed/mailed
this _____ day of December, 2018, to:

J. Scott Rhodes
Jennings Strouss & Salmon PLC
One East Washington Street, Suite 1900
Phoenix, Arizona 85004-2554
Email: srhodes@jsslaw.com
Respondent's Counsel

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this _____ day of December, 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

Copy of the foregoing hand-delivered
this _____ day of December, 2018 to:

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

by: _____
BFP/sab