

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

IN THE MATTER OF AN INACTIVE
MEMBER OF THE STATE BAR OF
ARIZONA,

ANDREW KRAMER,
Bar No. 026293

Respondent.

PDJ-2015-9116

FINAL JUDGMENT AND ORDER

[State Bar File Nos. 14-0884,
14-1127, 15-0180]

FILED NOVEMBER 18, 2015

The Presiding Disciplinary Judge having reviewed the Agreement for Discipline by Consent filed on November 3, 2015, under Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement. Accordingly:

IT IS ORDERED Respondent, **Andrew Kramer**, is suspended for six (6) months and one (1) day for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective the date of this order. A period of suspension of over six (6) months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona.

IT IS FURTHER ORDERED upon reinstatement, Mr. Kramer shall be placed on probation for two (2) years with terms and conditions to be determined by a reinstatement hearing panel.

IT IS FURTHER ORDERED Mr. Kramer shall participate in the State Bar's Fee Arbitration Program in File No. 14-0884. Respondent shall contact the Fee Arbitration

Coordinator at 602-340-7379 within ten (10) days from this order to obtain the forms to participate in Fee Arbitration. Mr. Kramer shall file the forms no later than thirty (30) days from receipt of the forms. If Mr. Kramer is ordered to pay any sums, he shall have thirty (30) days from the letter from the Fee Arbitration Coordinator to comply with the award entered in the Fee Arbitration proceeding. If Mr. Kramer fails or refuses to participate in Fee Arbitration, he shall pay restitution for \$2,500.00 to Christopher Stavrofs.

IT IS FURTHER ORDERED Mr. Kramer shall pay restitution to Rejoice Osaghae-Morgan in File No. 15-0180 for \$2,873.00 in six (6) monthly payments of \$479.00, with the first payment being due thirty (30) days from this order.

IT IS FURTHER ORDERED Mr. Kramer shall be subject to any additional terms imposed through the reinstatement process.

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

IT IS FURTHER ORDERED Mr. Kramer shall pay the costs and expenses of the State Bar of Arizona for \$ \$1,200.00, within thirty (30) days from this order. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office with these disciplinary proceedings.

DATED this 18th day of November, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/emailed
this 18th day of November, 2015.

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**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

IN THE MATTER OF AN INACTIVE
MEMBER OF THE STATE BAR OF
ARIZONA,

ANDREW KRAMER,
Bar No. 026293

Respondent.

PDJ-2015-9116

**DECISION ACCEPTING CONSENT
FOR DISCIPLINE**

[State Bar No. 14-0884, 14-1127,
15-0180]

FILED NOVEMBER 18, 2015

Probable Cause Orders issued on June 23, 2015 and September 18, 2015. No formal complaint has been filed. An Agreement for Discipline by Consent ("Agreement") was filed by the parties on November 3, 2015, and submitted under Rule 57(a)(3), Ariz. R. Sup. Ct.¹ Upon filing such Agreement, the presiding disciplinary judge, "shall accept, reject or recommend modification of the agreement as appropriate."

Rule 57(a)(2) 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.

Under Rule 53(b)(3), notice of this Agreement was provided to the complainants by letter dated September 29, 2015. Complainants were notified of the

¹ Unless stated otherwise, all rules referenced are the Arizona Rules of the Supreme Court.

opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. No objections were filed. The conditionally admitted misconduct is summarized.

In Count One, Mr. Kramer represented a client in a wrongful DUI arrest. The client was not under the influence at the time of the stop for a "lane violation," was administered a breath test which read .000, and arrested without cause. As a result of the arrest the client's license was suspended. No fee agreement was executed and the scope of the representation was not conveyed in writing. The client believed the representation would cover the dismissal of the criminal charges, pending confirmation through the results of the blood test taken after the arrest, expungement of the charge on his MVD record, and the filing of a notice of claim and potential lawsuit against the Town of Tempe under a contingency fee. The test of the blood screen performed by D.P.S. was negative.

After accepting representation, Mr. Kramer failed to adequately communicate with the client and did not diligently represent his client by failing to: obtain the blood test results for almost 21 months, remedy the MVD license issue, address the resultant increase in his client's Father's car insurance rates based on the wrongful arrest, and failed to file a notice of claim against the Town of Tempe.

In Count Two, Mr. Kramer represented a client in a criminal matter. He also represented the co-defendants. When another attorney substituted in as counsel for one of those defendants, Mr. Kramer failed to provide that attorney with a copy of the file as ordered by the court. Later, Mr. Kramer appeared in court and certified to the trial judge he had signed written waiver agreements from the clients. The court ordered him to produce them. Mr. Kramer has still not produced any such documents

but argues he verbally told the client of the conflict. He later filed a pleading attempting to “recuse” himself from the case.

A non-waivable conflict was reported by the substituting attorney to the court. Mr. Kramer was ultimately removed as counsel by the court.

In Count Three, Mr. Kramer was hired to handle a DUI and 2 traffic citations. Thereafter, he failed to diligently represent the client and to adequately communicate with the client. While texting his client, Mr. Kramer disclosed confidential information regarding another client’s case. He failed to take action on the traffic citations and they were referred to collections. He failed to appear for a MVD hearing and misrepresented to bar counsel the reasons for his failure to appear.

Mr. Kramer conditionally admits his misconduct violated Rule 42, ERs 1.3 (diligence), 1.4(a)(3) and (4) (communication), 1.5(a) and (b) (fees), 1.6(a) (confidentiality of information), 1.7(a)(1) (conflict of interest), 1.16(d) (declining or termination representation), 3.3(a)(1) (candor toward tribunal), 8.1(a) (false statement of material fact), 8.4(c) (engage in conduct involving dishonesty, fraud, deceit or misrepresentation), and Rule 54(c) and (d) (grounds for discipline). The parties stipulate to a sanction of a six (6) month and one (1) day suspension, two (2) years of probation upon reinstatement with terms and conditions to be determined at reinstatement, participation in fee arbitration in File 14-0884, \$2,873.00 restitution in File No. 15-0180, and costs of \$1,200.00, to be paid within thirty (30) days from this Decision.

Presumptive Sanction

The *American Bar Association’s Standards for Imposing Lawyer Sanctions* (*Standards*) are utilized in consideration of Mr. Kramer’s most serious ethical

violations. The parties agree the presumptive sanction is suspension *Standard 4.32* applies to Mr. Kramer's violation of ER 1.7(a)(1) and provides:

Suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict, and causes injury or potential injury to a client.

Standard 4.62 applies to Mr. Kramer's violation of ER 8.4(c) and provides:

Suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to a client.

Standard 6.12 applies to Mr. Kramer's violation of ER 3.3(a)(1) and provides:

Suspension is generally appropriate when a lawyer knows that false statements or documents are being submitted to the court or that material information is improperly being withheld, and takes no remedial action, and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.

Standard 7.2 applies to Mr. Kramer's violation of ER 8.1 and Rule 54 and provides:

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.

Mr. Kramer conditionally admits he knowingly violated his duties to clients, the legal profession, the legal system, and the public causing actual and potential harm to clients, the profession, legal system and public.

Aggravation and Mitigation

The agreed upon aggravating factors include: 9.22(b) (dishonest or selfish motive), 9.22(c) (pattern of misconduct), 9.22(d) (multiple offenses), 9.22(f) (submission off false evidence, false statements, or other deceptive practices during

the disciplinary process), and 9.22(k) (illegal conduct, including that involving the use of controlled substances).

In mitigation are factors: 9.32(a) (absence of a prior disciplinary record), 9.32(i) (mental disability or chemical dependency) as evidenced by Exhibit 1, and 9.32(l) (remorse).

The object of lawyer discipline is to protect the public, the legal profession, the administration of justice, and to deter other attorneys from engaging in unprofessional conduct. *In re Peasley*, 208 Ariz. 27, 38, 90 P.3d 764, 775 (2004). Attorney discipline is not intended to punish the offending attorney, although the sanctions imposed may have that incidental effect. *Id.* In that context, the PDJ finds the proposed sanction meets the objectives of discipline. Mr. Kramer tried to protect the public from any further harm by changing his membership status to inactive during this process and has begun the process of addressing his substance abuse issues through inpatient and outpatient treatment. He has apparently maintained sobriety since January 8, 2015. Accordingly,

IT IS ORDERED incorporating the Agreement and any supporting documents by this reference. The agreed upon sanctions are: a six (6) month and one (1) day suspension, two (2) years of probation upon reinstatement, fee arbitration, restitution, and in costs, which shall be paid within thirty (30) days of the final judgment and order. These financial obligations shall bear interest at the statutory rate.

IT IS FURTHER ORDERED the Agreement is accepted. Costs as submitted are approved for \$1,200.00 and are to be paid within thirty (30) days. Now therefore, a final judgment and order is signed this date.

IT IS FURTHER ORDERED sealing Exhibit 1, attached to the Agreement as it contains personal medical information and records.

DATED this 18th day of November, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

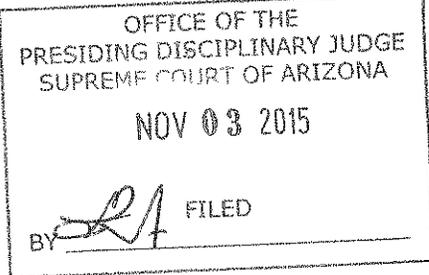
Copies of the foregoing were mailed/emailed this 18th day of November, 2015 to:

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**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

IN THE MATTER OF AN INACTIVE MEMBER
OF THE STATE BAR OF ARIZONA,

**ANDREW KRAMER,
Bar No. 026293**

Respondent.

PDJ 2015 7116

State Bar File Nos. **14-0884,
14-1127, 15-0180**

**AGREEMENT FOR DISCIPLINE BY
CONSENT**

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Andrew Kramer, who is represented in this matter by counsel, Nancy A. Greenlee, hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct. Probable Cause orders were entered on June 23, 2015, in File Nos. 11-0884 and 14-1127. A Probable Cause order was entered on September 18, 2015, in File No. 15-0180. 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 admissions and proposed form of discipline are approved.

Pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct., notice of this agreement was provided to Complainants by letter dated September 29, 2015. Complainants 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.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, ERs 1.3, 1.4(a)(3) and (4), ER 1.5(a) and (b), 1.6(a), 1.7(a)(1), 1.16(d), 3.3(a)(1), 8.1(a), 8.4(c) and Rule 54 (c) and (d). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: Long-Term Suspension of 6 months and 1 day; 2 years of probation upon reinstatement; participation in the State Bar's Fee Arbitration Program in File No. 14-0884; and Restitution of \$2,873 in File No. 15-0180. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order, and if costs are not paid within the 30 days, interest will begin to accrue at the legal rate.¹ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

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.

FACTS

GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on October, 22, 2008.
2. On February 13, 2015, Respondent changed his status with the State Bar from active to inactive.

COUNT ONE (File No. 14-0884/Stavrofs)

3. On May 18, 2012, Michael Stavrofs (Michael) was pulled over while driving by the Tempe Police. Michael told the police officer that he was the designated driver for his friends and that he had not been drinking. The officer asked Michael to submit to sobriety tests, which he did. The officer also administered a breath test which read .000. Nonetheless, the officer arrested Michael for a bike lane violation and for Driving under the Influence of Drugs. Michael was transported to a mobile DUI van and his blood was drawn. As a result of the arrest, Michael's Arizona driver's license was suspended.

4. Michael retained Respondent, who was a friend of his sister, to represent him. Michael's father, Christopher Stavrofs (Father), paid Respondent a \$2,500 flat fee for the representation. If this matter went to hearing, Father would testify that when he asked Respondent what recourse Michael had against the City of Tempe for wrongful arrest, Respondent assured him that "we'll go after them."

5. Michael did not sign a fee agreement and he is not aware of any confirmatory writing setting forth the scope of the representation or the fee to be paid. Father and Michael understood the representation to include securing the

dismissal of the criminal charges, helping to secure the expungement of Michael's MVD record, and then "go[ing] after Tempe."

6. Respondent admits that he did not have Complainant execute a fee agreement and that there are no confirmatory writings setting forth the scope of the representation and the fees/expenses to be incurred by Michael. If this matter went to hearing, Respondent would testify that he was retained only to represent Michael with respect to the criminal charge, but that he "helped" Michael deal with an automobile insurance problem and the admin per se/implied consent issue with the MVD, even though he was not retained to do so. Respondent would further testify that he was not retained to bring a claim against the City of Tempe and that he never entered into a representation agreement for same.

7. During the course of the representation, Michael never met Respondent in person. Michael spoke with Respondent once before the initial hearing, which Michael did not attend.

8. If this matter went to hearing, Michael would testify that almost immediately after retaining Respondent, he had trouble communicating with Respondent. And, Father would testify that he became actively involved in the matter after Michael told him that Respondent was not returning his calls.

9. On August 23, 2012, the criminal charges against Michael were "conditionally" dismissed pending receipt of the formal blood test results. The State never re-filed any charges against Michael.

10. Thereafter, Respondent and Father met to discuss the next step to take. Father offered to give Respondent a percentage of any recovery should the claim against the City of Tempe go to trial. Father claims that Respondent agreed,

but the terms of the agreement were never reduced to writing. At one point Father texted Respondent: "One third of any award above hard costs incurred by Michael to defend himself and insurance premium increases as a result [of] these false charges. Here's something new for you put it in writing...representation agreement."

11. On or about September 13, 2012, the Arizona Department of Public Safety completed the test of the blood screen, which was negative (the Results).

12. In order to secure the reinstatement of his driver's license, Michael needed a copy of the Results and the order of dismissal of the underlying criminal case. If this matter went to hearing, Michael and Father would testify that they understood that that Respondent was going to obtain the Results.

13. For almost 21 months thereafter, Respondent repeatedly texted Father and assured him that he was trying to get the Results. However, Respondent told Father that he was running into roadblocks that prevented him from doing so.

14. During that time, Respondent and Father communicated solely through text messages. Text messages exchanged between October 24, 2013, and April 3, 2014, reflect Father's frustration with Respondent's lack of communication and diligence regarding efforts to secure the Results, the filing of the claim against the Town of Tempe, and the efforts to remedy Michael's problems with the MVD, as well as Father's difficulties with his insurance company as a result of Michael's criminal case.

15. At times, the emails degenerated into allegations and accusations between Respondent and Father. Respondent claimed that he was "not getting paid anything . . . nor is [MVD] part of my job as my case under the representation

agreement was to help with [Michael's] criminal case and that any other issues or cases would require a new fee agreement."

16. During another exchange, Respondent referenced a signed fee agreement and claimed to have fully complied with his obligations. In response, Father texted: "Send it to me because I've never gotten it or Michael!" Father also asked for receipts for the \$120 that he gave Respondent for costs associated with the representation. Respondent never provided them to Father.

17. On October 24, 2013, Respondent advised Complainant that he had "ordered Michael's bloodwork."

18. On February 25, 2014, Michael picked up the Results, which were negative. Father texted Respondent to let him know. Respondent replied: "Now we can go after the [Tempe] PD." Respondent asked Father to send him information that he needed to draft a demand letter.

19. Thereafter, Respondent's text messages to Father reflect that despite repeated promises to take action, Respondent did not do so. Instead, he verbally attacked Father stating: "Keep threatening an attorney. You've no[w] committed 2 felonies I have record of, and any legal action you bring opens up attorney client privilege so I will countersue you back and you and I both know who will win that. I will show no mercy, and you'll end up paying me for years if that's the way you wanna play it. That's not a threat, it's a promise, and I always keep my promises."

20. Respondent later changed his position and on March 22, 2014, he promised to send Father a draft demand letter for review. Respondent assured Father that he was "happy to move forward. I want to help Michael and get you and

him reimbursed. I just don't have time to work on his case every day, that's all. I will send the demand out and we can see what they'll pay though."

21. On April 4, 2014, Father texted Respondent, "I guess you're making a fool out of me again..." Respondent assured him "I'm working on it." However, Respondent never sent the draft demand letter to Complainant, who ultimately contacted the State Bar.

22. By letter dated June 30, 2014, Michael's successor counsel sent a Notice of Claim to the City of Tempe relating to the arrest. If this matter went to hearing, Attorney Randall Urbom would testify that the statute of limitations may have already expired by that time, but that he was making an argument, in good faith, that statute of limitations did not begin to run until Michael obtained the Results.

COUNT TWO (File No. 14-1127/Judicial Referral)

23. Respondent represented co-defendants Barbara Voller and Robert Whitten in a criminal case pending in the Maricopa County Superior Court, Case No. CR 2013-001565-001.

24. Mr. Whitten was charged with various counts of possession of narcotic drugs for sale and misconduct involving weapons.

25. At a Final Trial Management Conference held on March 4, 2014, Attorney John Agra submitted a Notice of Substitution of Counsel and requested that he be substituted in as counsel for Ms. Voller. At the time, the matter was set to be tried on March 12, 2014.

26. Attorney Agra advised the trial court that Respondent had represented the co-defendants; that he believed it was a *per se* conflict; and that the conflict

could not be waived. Attorney Agra further told the court that Respondent had never explained the conflict to Ms. Voller or obtained a written conflict waiver from the co-defendants. The court granted Attorney Agra's request to substitute as counsel, relieved Respondent of any further obligation with respect to Ms. Voller, and ordered Respondent to provide Attorney Agra with a copy of the file by March 18, 2014.

27. On March 18, 2014, Attorney Agra emailed the trial court that Respondent had not provided him with the file, as ordered by the court, or otherwise contacted him. In response, the trial court scheduled a status conference for March 24, 2014, and ordered Respondent to appear. (3/14/14 Minute Entry.)

28. At the status conference, Respondent appeared and advised the trial court that the co-defendants had signed written waiver agreements. By that time, Respondent had provided Attorney Agra with the client file. The court ordered Respondent to submit the original conflict waivers and to provide a copy of Ms. Voller's waiver to Attorney Agra by April 1, 2014. The court later deleted the requirement with respect to Mr. Whitten.

29. On April 1, 2014, at approximately 1:20pm, Respondent faxed the trial court a "Response to Counsel's Motion and Request for More Time to Scan Hard Drive Computers for Signed Waiver of Counsel [sic] Form." There were no motions pending before the court at that time.

30. In the filing, Respondent purported to "recuse" himself as counsel of record notwithstanding the fact that an attorney cannot "recuse" himself from representation and the trial court had already relieved Respondent of further representation of Ms. Voller at the March 4th hearing. Respondent further stated

that Mr. Whitten had signed an "affidavit" in the matter that Attorney Agra would "find beneficial." It is unclear what that affidavit stated. Respondent opined that Ms. Voller had not been prejudiced by the dual representation, although prejudice is not relevant to the analysis of a violation of the conflict of interest rule. And finally, Respondent asked the trial court for more time to locate the waivers and offered to take a polygraph examination to prove that he had them.

31. By minute entry dated April 7, 2014, the trial court denied Respondent's request, noting: "The Court is troubled by [Respondent]'s actions in this case, including that he represented to the Court that he had explained the potential conflict to Ms. Voller and that she had signed a written waiver agreement. Yet, when the Court gave him two weeks to produce the agreement, he failed to do so and instead filed a meandering and vague response. And, as of the date of this minute entry, he still has not submitted the original or even a copy of any waiver agreement."

32. By letter dated June 28, 2014, Respondent responded to the screening letter. Respondent stated that he advised Ms. Voller verbally of the conflict of interest and advised that she should get other counsel. He claimed that Ms. Voller "begged" him to help her and that he did so against his "better judgment."

33. If this matter went to hearing, Attorney Agra would testify that Ms. Voller never signed a waiver and Respondent did not provide one to him when he transferred the file. Ms. Voller told Attorney Agra that when she asked whether he could represent both of the defendants, Respondent answered in the affirmative and told her not to worry about it.

34. Attorney Agra would further testify that the co-defendants' positions were not aligned. When Mr. Whitten was arrested, Ms. Voller was not in the house and no drugs were found on her. At the time, though, they were living together. Therefore, if the case had gone to trial, they could potentially have pointed fingers at each other. While Ms. Voller had a history of possession of illegal drugs, Mr. Whitten did not. He had other criminal history. Attorney Agra would testify that while Respondent represented the co-defendants, he plead out Mr. Whitten first and was on track to plead out Ms. Voller. However, she began talking with friends about concerns that she had and then reached out to Attorney Agra.

35. Attorney Agra would testify he took over Ms. Voller's case from Respondent one week before trial. By that time, Mr. Whitten had been sentenced and was imprisoned, but Respondent had not subpoenaed Mr. Whitten to compel his attendance at trial. When Attorney Agra confronted Respondent about this, Respondent stated that he was confident the case would plead out. Attorney Agra would testify that it did not appear that Respondent ever intended to call Mr. Whitten as a witness, in which case, he would not have been able to create reasonable doubt. After he took over Ms. Voller's case, Attorney Agra was able to develop a defense by accusing her co-defendant and she ultimately received supervised probation.

COUNT THREE (File No. 15-0180/Osaghae-Morgan)

36. Rejoice Osaghae-Morgan (Morgan) received a DUI on Labor Day 2014, with a BAC of .151.

37. By text dated September 7, 2014, Respondent contacted Morgan to discuss the DUI. At that time, Morgan had an initial hearing set for September 30,

2014. Respondent offered to discount his fee by 50% because Morgan was a referral and advised her that he would need to request a MVD hearing within 15 days of the violation to try to preserve her driving privileges. Respondent told Morgan that the September 30th hearing was an arraignment and that he would file a notice of appearance and enter a not guilty plea without her appearance. Then, while they waited for a pretrial conference, Respondent would "start gathering discovery" and interviewing officers "to poke holes" in the case.

38. Respondent told Morgan that his firm included "a law partner, [a] private investigator, and 2 assistants."

39. On September 8, 2014, Morgan retained Respondent to handle the DUI. He subsequently agreed to also represent her with respect to two tickets that she had received. During the course of the representation, Morgan paid Respondent \$2,400 in fees and \$473 in costs for various motions that Respondent was supposed to file, but did not.

40. Thereafter, Respondent and Morgan communicated by text messages. Morgan advised Respondent that she had a ticket to which she needed to respond by September 30, 2014. Respondent told Morgan that he would locate all of Complainant's outstanding tickets and later told her that he had done so and to "let me handle it."

41. During a text conversation on September 19, 2104, Respondent disclosed information about another client's case to Morgan. Specifically, Respondent told Morgan that her friend had hired him "wayyy late into [her] case [with] no money down really 3 days before court and now I need to get a deviation

request in ASAP and She [sic] doesn't even have the money to pay the costs associated[.] I don't know what to do ahhhh."

42. On September 29, 2014, Morgan texted Respondent about a hearing set for the next day. Respondent replied that he had it "handled."

43. On October 9, 2014, Morgan texted Respondent that the MVD hearing on her driver's license had been set for December.

44. On October 30, 2014, Morgan texted Respondent that she had received a collections notice on the traffic ticket that Respondent had told her he would handle. Respondent told her to send it to him and he would file a motion with the court to get it dismissed. Morgan sent Respondent both the collection notice and the notice setting her MVD hearing for December 12, 2014, at 3:30 p.m.

45. On November 5, 2014, Morgan texted to see when they could meet to discuss her case. Respondent replied that he had "most of the discovery waiting" and suggested meeting the next week. However, Respondent never met with Morgan. The text messages exchanged between the two reflect that Respondent kept putting off a meeting.

46. On December 1, 2014, Morgan texted and advised Respondent that she had received another collection notice. Respondent replied that he would "discuss this with the judge when we go into court this week." He told Morgan that the hearing was set for the next day. Morgan complained that she had wanted to meet before the hearing and wanted to know if she should attend. Respondent replied that he did not have the "complete" discovery and that he didn't want to meet until he had it all. He assured her that "they'll have it tomorrow the judge will give them 1 week if they don't or they're in trouble." Respondent assured Morgan that she did

not have to appear for the MVD hearing and asked her to text him a picture of the notice, which she did.

47. On the evening of December 2, 2014, Morgan began texting Respondent to find out what happened at the hearing.

48. On December 4, 2014, Respondent finally responded and sent Morgan pictures to support his claim that he had been in the hospital "for emergency surgery for cellulitis." Respondent told Morgan that he had the MVD hearing continued and that it would be "reset in a couple of weeks."

49. Thereafter, Morgan tried to set up a meeting with Respondent after he was released from the hospital to discuss her case. Morgan advised him that she was still receiving collection notices. Respondent told her that he was out-of-town but that he would be back on January 5, 2015, and that they could meet when he got back. After that date, Respondent did not respond to Morgan's text messages.

50. When Respondent did not respond to her texts, Morgan called the number listed on his business card for the "Kramer Firm." She learned that Respondent had not worked at the office for almost two years.

51. During the investigation of Morgan's bar charge, Respondent told Bar Counsel that he had continued the December 2, 2014 hearing because he was hospitalized. However, in the motion to continue, Respondent stated that he had a settlement conference "w Superior Court." According to ICIS, Respondent did not have any hearings scheduled with the Maricopa County Superior Court on that date.

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 the following ethical rules in each of the identified cases:

1. File No. 14-0884: Rule 42, Ariz. R. Sup. Ct., specifically ERs 1.3, 1.4(a)(3) and (4), 1.5(b), and 1.16(d).
2. File No. 14-1127: ERs 1.7(a)(1), 3.3(a)(1), 8.1(a), 8.4(c), and Rule 54(c).
3. File No. 15-0180: ERs 1.3, 1.4(a)(3) and (4), 1.5(a), 1.6(a), 1.16(d), 3.3(a)(1), and 8.1(a).

CONDITIONAL DISMISSALS

Not applicable.

RESTITUTION

Respondent agrees to pay restitution to the Complainant in File No. 15-0180 in the amount of \$2,873. Respondent shall pay the Complainant as follows: six monthly payments of \$479.00, with the first payment starting 30 days after the agreement is accepted.

FEE ARBITRATION

Respondent has agreed to participate in the State Bar's Fee Arbitration Program in File No. 14-1127. In the event that a judgment is awarded against him and in favor of the former client, Respondent shall pay the judgment within 30 days of same. If Respondent fails or refuses to participate in the Program, he shall pay to Complainant restitution in the amount of \$2,500.

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: Long-Term Suspension of 6 months and 1 day; 2 years of probation upon reinstatement; participation in the State Bar's Fee Arbitration Program in File No. 14-0884; and restitution of \$2,873 in File No. 15-0180.

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

LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter. *In re Peasley*, 208 Ariz. 27, 33, 35, 90 P.3d 764, 770 (2004); *In re Rivkind*, 162 Ariz. 154, 157, 791 P.2d 1037, 1040 (1990).

In determining an appropriate sanction, consideration is given to the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Peasley*, 208 Ariz. at 35, 90 P.3d at 772; *Standard* 3.0.

The parties agree that the following *Standards* are appropriate given the facts and circumstances of this matter, all of which provide that suspension is appropriate.

- *Standard 4.32* provides that suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict, and causes injury or potential injury to a client.

- *Standard 4.62* provides that suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to the client.

- *Standard 6.12* provides that suspension is generally appropriate when a lawyer knows that false statements or documents are being submitted to the court and takes no remedial action and causes injury or potential injury to a party to the legal proceeding, or causes an adverse or potentially adverse effect on the legal proceeding.

- *Standard 7.2* provides that suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal system.

The duty violated

As described above, Respondent's conduct violated his duty to his clients, the profession, the legal system, and the public.

The lawyer's mental state

For purposes of this agreement, the parties agree that Respondent's conduct was knowing and that his conduct was in violation of the Rules of Professional Conduct.

The extent of the actual or potential injury

For purposes of this agreement, the parties agree that there was actual and potential harm to the clients, profession, legal system, and 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:

Standard 9.22(b) dishonest or selfish motive

Standard 9.22(c) a pattern of misconduct

Standard 9.22(d) multiple offenses

Standard 9.22(f) submission of false evidence, false statements, or other deceptive practices during the disciplinary process.

Standard 9.22(k) illegal conduct, including that involving the use of controlled substances.

In mitigation:

Standard 9.32(a) absence of a prior disciplinary record.

Standard 9.32(i) mental disability or chemical dependency.

Contemporaneously herewith, the parties are submitting documentation attesting to Respondent's successful treatment, rehabilitation and continued sobriety through a Stipulated Supplement to Agreement for Discipline by Consent and Request for Protective Order. Respondent has been sober since January 8, 2015.

Standard 9.32(l) remorse. Respondent has demonstrated his contrition by getting appropriate treatment for his addiction and by continuing to remain sober.

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: Respondent has taken steps to address what he has identified as the cause of the conduct through both inpatient and outpatient treatment. He and his family took steps to minimize any injury to his clients and he voluntarily changed his status with the State Bar to inactive when he sought treatment for his issues. For those reasons, the parties believe that a 6 month and 1 day suspension would satisfy the purposes of lawyer discipline.

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.

NON-COMPLIANCE LANGUAGE

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

burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

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 long-term Suspension, probation, restitution, and the imposition of cost and expenses. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona. A proposed form order is attached hereto as Exhibit B.

DATED this 2nd day of November 2015

STATE BAR OF ARIZONA


Stacy L. Shuman
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 November, 2015.

Andrew Kramer
Respondent

DATED this _____ day of November, 2015.

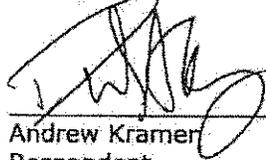
Nancy A. Greenlee
Counsel for Respondent

Approved as to form and content


Maret Vessella
Chief Bar Counsel

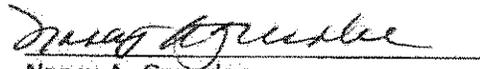
This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property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

DATED this 3rd day of November, 2015.



Andrew Kramer
Respondent

DATED this 3rd day of November, 2015.



Nancy A. Greenlee
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 3RD day of November 2015.

Copies of the foregoing mailed/emailed
this 3RD day of November 2015, to:

Nancy A. Greenlee
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
nancy@nancygreenlee.com
Respondent's Counsel

Copy of the foregoing emailed
this 3RD day of November, 2015, to:

William J. O'Neil
Presiding Disciplinary Judge
Supreme Court of Arizona
Email: officepdj@courts.az.gov

Copy of the foregoing hand-delivered
this 3RD day of November, 2015, to:

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

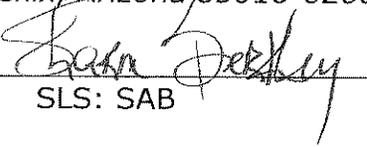
by: 
SLS: SAB

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,
Andrew Kramer, Bar No. 026293, Respondent

File No(s). 14-0884, 14-1127, and 15-0180

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



Sandra E. Montoya

Lawyer Regulation Records Manager

9-29-15

Date

EXHIBIT B

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

IN THE MATTER OF AN INACTIVE
MEMBER OF
THE STATE BAR OF ARIZONA,

Andrew Kramer,
Bar No. 026293,

Respondent.

PDJ

FINAL JUDGMENT AND ORDER

[State Bar File Nos. 14-0884,
14-1127, and 15-0180]

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

IT IS HEREBY ORDERED that Respondent, **Andrew Kramer**, is hereby suspended for 6 months and 1 day for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective upon the date of this order. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona.

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

IT IS FURTHER ORDERED that Respondent shall participate in the State Bar's Fee Arbitration Program in File No. 14-0884. Respondent shall contact the Fee Arbitration Coordinator at 602-340-7379 within 10 days from the date of service of this Order/Agreement to obtain the forms necessary to participate in Fee Arbitration. Respondent shall file the necessary forms no later than 30 days from the date of

receipt of the forms. If Respondent is ordered to pay any sums, he shall have 30 days from the date of the letter from the Fee Arbitration Coordinator to comply with the award entered in the Fee Arbitration proceeding. If Respondent fails or refuses to participate in Fee Arbitration, he shall pay restitution in the amount of \$2,500 to Christopher Stavrofs.

IT IS FURTHER ORDERED that Respondent shall pay restitution in File No. 15-0180 in the amount of \$2,873 as follows: six monthly payments of \$479.00, with the first payment being due 30 days from the date of this Order.

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 \$ \$1,200, within 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 30 days from the date of service of this Order.

DATED this _____ day of November, 2015

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, 2015.

Copies of the foregoing mailed/mailed
this _____ day of November, 2015.

Nancy A. Greenlee

821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Email: nancy@nancygreenlee.com
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered
this _____ day of November, 2015, to:

Stacy L. Shuman
Bar Counsel - Litigation
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 November, 2015 to:

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

by: _____

Stacy L. Shuman, Bar No. 018399
Staff Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Telephone (602)340-7247
Email: LRO@staff.azbar.org

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**ANDREW KRAMER,
Bar No. 026293,**

Respondent.

PDJ 2015

**STIPULATED SUPPLEMENT TO
AGREEMENT FOR DISCIPLINE BY
CONSENT; REQUEST FOR
PROTECTIVE ORDER**

State Bar File Nos. **14-0884,
14-1127, 15-0180**

For purposes of assisting the Presiding Disciplinary Judge (PDJ) with his evaluation of the mitigation proposed by the parties in the Agreement For Discipline By Consent filed November 3rd, 2015, (the Agreement), the parties hereby supplement the Agreement with Exhibit 1, attached hereto. The parties respectfully request a Protective Order sealing Exhibit 1 from Complainants and the general public pursuant to Rule 70(g), Ariz. R. Sup. Ct. There is good cause for the Protective Order because Exhibit 1 contains medical and personal information related to Respondent. Respondent stipulates to this Supplement to Agreement and has authorized undersigned Bar Counsel to file same with the Court. A proposed form of order is attached hereto as Exhibit "2."

RESPECTFULLY SUBMITTED this 3rd day of November, 2015.

STATE BAR OF ARIZONA

By: Stacy L. Shuman
Stacy L. Shuman
Staff Bar Counsel
4201 North 24th Street, Suite 100
Phoenix, Arizona 85016-6266

ORIGINAL filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this _____ day of November, 2015.

COPY of the foregoing mailed/emailed
this _____ day of October, 2015, to:

Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, AZ 85014-3248
Telephone 602-264-8110
Email: nancy@nancygreenlee.com
Respondent's Counsel

Honorable William J. O'Neill
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 104
Phoenix, Arizona 85007
officepdj@courts.az.gov

by: _____
SLS:SAB

EXHIBIT 2

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**ANDREW KRAMER,
Bar No. 026293,**

Respondent.

PO

PROTECTIVE ORDER

State Bar File Nos. **14-0884,
14-1127, 15-0180**

The Court, having reviewed the parties' Stipulated Supplement to Agreement For Discipline By Consent and Request For Protective Order with respect to Exhibit 1, which contains medical and personal information relating to Respondent and good cause appearing,

IT IS ORDERED, that Exhibit 1 be and hereby is sealed and kept confidential from Complainants and the general public pursuant to Rule 70(g), Ariz. R. Sup. Ct.

IT IS FURTHER ORDERED that the Stipulated Request for Protective Order is granted.

DATED this _____ day of November, 2015.

William O'Neill, Presiding Disciplinary Judge

COPY of the foregoing sent via e-mail
and U.S. mail this _____ day
of October, 2015, to:

Stacy L. Shuman
Staff Bar Counsel
4201 North 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: Stacy.Shuman@staff.azbar.org

Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, AZ 85014-3248
Telephone 602-264-8110
Email: nancy@nancygreenlee.com
Respondent's Counsel

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

By: _____

FILED

JUN 23 2015

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

STATE BAR OF ARIZONA
BY: *Lucas E. Montoya*

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

No. 14-0884

**ANDREW KRAMER
Bar No. 026293**

PROBABLE CAUSE ORDER

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on June 12, 2015, 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 8-0-1¹, the Committee finds probable cause exists to file a complaint against Respondent in File No. 14-0884.

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 23 day of June, 2015.

Lawrence F. Winthrop

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

¹ Committee member Bill J. Friedl did not participate in this matter.

Original filed this 24th day
of June, 2015, with:

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

Copy mailed this 24th day
Of June, 2015, to:

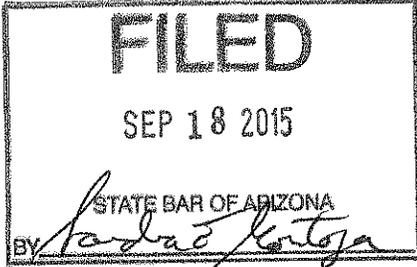
Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, Arizona 85014-3248
Respondent's Counsel

Copy emailed this 24th day
of June, 2015, 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
Email: LRO@staff.azbar.org

by: 



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

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

**ANDREW KRAMER
Bar No. 026293**

Respondent.

No. 15-0180

PROBABLE CAUSE ORDER

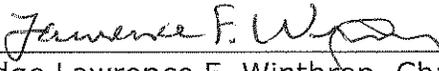
The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on September 11, 2015, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation.

By a vote of 9-0-0, the Committee finds probable cause exists to file a complaint against Respondent in File No. 15-0180.

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 18 day of September, 2015.



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

Original filed this 21st day
of September, 2015, with:

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

Copy mailed this 21st day
of September, 2015, to:

Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, Arizona 85014-3248
Respondent's Counsel

Copy emailed this 21st day
of September, 2015, 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: 

FILED

JUN 23 2015

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

STATE BAR OF ARIZONA
BY *Radai Cortez*

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

No. 14-1127

**ANDREW KRAMER
Bar No. 026293**

PROBABLE CAUSE ORDER

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on June 12, 2015, 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 8-0-1¹, the Committee finds probable cause exists to file a complaint against Respondent in File No. 14-1127.

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 23 day of June, 2015.

Lawrence F. Winthrop

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

¹ Committee member Bill J. Friedl did not participate in this matter.

Original filed this 24th day
of June, 2015, with:

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

Copy mailed this 24th day
of June, 2015, to:

Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, Arizona 85014-3248
Respondent's Counsel

Copy emailed this 24th day
of June, 2015, 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
Email: LRO@staff.azbar.org

by: 