



**Board of Legal Document Preparers**  
Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Conference Room 109

Date: September 27, 2010  
Time: 10:00 a.m. – 2:00 p.m.

**Approved Regular Meeting Minutes**

**MEMBER ATTENDANCE:**

**Present:**

Les Krambeal  
Andrew Saper  
Deborah Colon-Mateo  
Paul Friedman  
Bonnie Matheson  
Hon. Robert H. Oberbillig

**Telephonically Present:**

Cynthia Felton  
Stephanie Gates Wolf  
Debra A. Young

**Absent:**

Debra Griffin  
Devon Kunde

**OTHER ATTENDEES**

**AOC Staff:**

Linda Grau  
Kandace French  
Tony Posante  
Karla Clanton  
Nina Preston  
Alex Navarro  
Kimberly Siddall  
Afton Foutz

**Guests:**

Danette Cheney  
Lynette Torres  
Sheila Webster  
Karla Wyrostek  
Ed Yyrostek  
Daryl Smith  
Bernadette Deangel  
James Jenkins  
Guadalupe Ortiz  
Ronda Fisk

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**CALL TO ORDER**

**Called to Order By:** Les Krambeal, Chair

**Time:** 10:00 a.m.

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**1) REVIEW AND APPROVAL OF MEETING MINUTES**

**Individuals Addressing the Board:** Les Krambeal, Chair

**1-A:** *Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of June 28, 2010.*

**Discussion:** None.

**Motion:** Move to approve the regular session minutes of the meeting of June 28, 2010.

**Motion Proposals:**

First	Paul Friedman
Second	Andrew Saper
Recusal	Cynthia Felton
Abstain	Deborah Colon-Mateo
	Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-133**

**1-B:** *Review, discussion, and possible action regarding approval of the executive session minutes of the meeting of June 28, 2010.*

**Discussion:** None.

**Motion:** Move to approve the executive session minutes of the meeting of June 28, 2010.

**Motion Proposals:**

First	Paul Friedman
Second	Andrew Saper

**Motion Results:** Pass **LDP 10-134**

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**2) REVIEW OF PENDING COMPLAINTS**

**Individuals Addressing the Board:** Linda Grau

**2-A:** *Review, discussion, and possible action regarding the following certificate holder complaints:*

Complaint Number 03-L023- Jeffery Metcalfe  
Complaint Number 09-L037- Legal Resource Center  
Complaint Number 07-L038- Katrina Morales  
Complaint Number 04-L051- James Weathersby  
Complaint Number 05-L061- James Weathersby  
Complaint Number 06-L050- Di Anne Wentzloff  
Complaint Number 04-L031- Jacquetta Cast'On and Cast'On Corporation  
Complaint Number 04-L067- Jacquetta Cast'On and Cast'On Corporation  
Complaint Number 05-L029- Jacquetta Cast'On and Cast'On Corporation  
Complaint Number 05-L043- Jacquetta Cast'On and Cast'On Corporation  
Complaint Number 09-L035- Robin McElfresh, Victoria Celga and  
National Future Benefits Unlimited, Inc.  
Complaint Number 04-L039- Carla Lief  
Complaint Number 07-L027- Carla Lief

**Discussion:**

Complaint Number 03-L023 – Jeffery Metcalfe:

On June 14, 2010, Probable Cause Evaluator Mike Baumstark entered a finding probable cause does not exist as to Allegation 2 and does exist as to Allegations 1, 3 and 4 of complaint number 03-L023. It was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 2.

Regarding Allegations 1, 3 and 4, It was recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201 (H)(6)(a), (H)(6)(k)(2), (H)(6)(k)(3), and (H)(6)(k)(10) for acts of misconduct involving Arizona Supreme Court Rule 31(a)(2)(A)(3), (a)(2)(A)(5) and (a)(2)(B), and ACJA § 7-208(F)(1)(b), (F)(1)(c), (F)(2), (F)(3), (H)(4)(b) and Appendix A Code of Conduct Standards (1)(a), (5)(b), and (5)(c).

Metcalfe's certification expired on June 30, 2004 and the Certification and Licensing Division has had no known contact with Metcalfe since. Metcalfe's whereabouts are presently unknown. Therefore, it was recommended the Board close this complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Metcalfe applies for legal document preparer certification.

**Motion:**

Move to dismiss Allegation 2 in complaint number 03-L023.

**Motion Proposals:**

First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-135**

**Motion:** Move to close complaint number 03-L023 regarding allegations 1, 3, and 4 with no further action, other than to specify this matter be kept on file with the Division. The matter will be considered if in the future Metcalfe applies for legal document preparer certification.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Cynthia Felton

**Motion Results:** Pass **LDP 10-136**

**Discussion:** Complaint Number 09-L037 – Legal Resource Center:  
On June 14, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist in complaint number 09-L037. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 09-L037.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and dismiss complaint number 09-L037.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-137**

**Discussion:** Complaint Number 07-L038 – Katrina Morales:  
On June 14, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist in complaint number 07-L038. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss complaint number 07-L038 as recommended by the Division Director.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and dismiss complaint number 07-L038 as recommended by the Division Director.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-138**

**Discussion:** Complaint Number 04-L051 – James Weathersby and Complaint Number 05-L061 – James Weathersby:

A matter arose that requires further attention prior to the Board taking action, it was recommended to defer these matters to the November meeting.

**Motion:** Move to defer complaint numbers 04-L051 and 05-L061 to the November Board meeting.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-139**

**Discussion:** Complaint Number 06-L050 – Di Anne Wentzloff:  
On June 14, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegations 1 and 3 and does exist as to Allegations 2 and 4 in complaint number 06-L050. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegations 1 and 3 of complaint number 06-L050.

Regarding Allegations 2 and 4, it was recommended the Board enter a finding Wentzloff committed the alleged acts of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 06-L050. It was further recommended that in considering the appropriate disposition of this case, the Board consider the following issues:

1. The found violations by Wentzloff regarding the errors in the age of the minor child, name of the child and the failure to put the certificate number on filed documents did not result in actual harm to the consumers, although there was the potential for harm;
2. Wentzloff no longer holds an active certificate; and
3. The violations occurred in 2006.

In view of these issues, it was recommended the Board dismiss this complaint.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and dismiss Allegation 1 and 3 of Complaint Number 06-L050.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-140**

**Motion:** Move to find grounds for informal disciplinary action exists in Allegations 2 and 4 of Complaint Number 06-L050.

**Motion Proposals:** First Paul Friedman  
Second Cynthia Felton

**Motion Results:** Pass **LDP 10-141**

**Discussion:** Complaint Number 04-L031 – Jacquetta Cast’On and Cast’On Corporation:

On July 7, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 04-L031. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) for an act of misconduct involving ACJA § 7-208(F)(2) and Appendix A Code of Conduct Standards (2)(d), (4)(a) and (5)(a).

It was recommended the Board consolidate this complaint with any pending complaints involving Cast’On and Cast’On Corporation where the Board has separately determined grounds for formal disciplinary action exists.

Cast’On’s individual and business entity certifications expired on June 30, 2005 and the Certification and Licensing Division has had no known contact with Cast’On since. Cast’On’s whereabouts are presently unknown. Therefore, it was recommended the Board close this complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast’On applies for legal document preparer certification.

**Motion:** Move to close complaint 04-L031 with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast’On applies for legal document preparer certification.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-142**

**Discussion:** Complaint Number 04-L067 – Jacquetta Cast’On and Cast’On Corporation:

On July 7, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegations 1 and 2 and does exist as to Allegation 3 in complaint number 04-L067. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegations 1 and 2. Regarding Allegation 3, it was recommended the Board close this

complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast'On applies for legal document preparer certification.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and dismiss Allegations 1 and 2.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-143**

**Motion:** Move to close complaint number 04-L067, regarding Allegation 3 with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast'On applies for legal document preparer certification.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-144**

**Discussion:** Complaint Number 05-L029 – Jacquetta Cast'On and Cast'On Corporation:

On July 7, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 05-L029. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a), (H)(6)(d) and (H)(6)(k)(2) for acts of misconduct involving ACJA § 7-208(F)(2), (F)(6)(c) and Appendix A Code of Conduct Standards (1)(a) and (4)(a).

It was recommended the Board consolidate this complaint with any pending complaints involving Cast'On and Cast'On Corporation where the Board has separately determined grounds for formal disciplinary action exists. It was recommended the Board close this complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast'On applies for legal document preparer certification.

**Motion:** Move to close this complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast'On applies for Legal Document Preparer certification.

**Motion Proposals:** First Paul Friedman

Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-145**

**Discussion:** Complaint Number 05-L043 – Jacquetta Cast’On and Cast’On Corporation:

On July 7, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegations 2 and does exist as to Allegation 1 in complaint number 05-L043. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 2. Regarding Allegation 1, it was recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(6)(k)(3) for acts of misconduct involving Arizona Rules of Civil Procedure, Rules 3 and 4(f), ACJA § 7-208(F)(2), and Appendix A Code of Conduct Standard (5)(a).

It was recommended the Board consolidate this complaint with any pending complaints involving Cast’On and Cast’On Corporation where the Board has separately determined grounds for formal disciplinary action exists. It was recommended the Board close this complaint with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast’On applies for legal document preparer certification.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and dismiss Allegation 2.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-146**

**Motion:** Move to enter a finding grounds for formal disciplinary action exists regarding Allegation 1 and close Complaint Number 05-L043 with no further action, other than to specify this matter be kept on file with the Division to be considered if at some point in the future Cast’On applies for legal document preparer certification.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-147**

**Discussion:** Complaint Number 09-L035 – Robin McElfresh, Victoria Celga and National Future Benefits Unlimited, Inc.:

On July 7, 2010, Probable Cause Evaluator Baumstark entered a

finding probable cause exists in complaint number 09-L035. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Robin McElfresh, Victoria Cegla and National Future Benefits Unlimited, Inc. committed the alleged acts of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 09-L035.

It was further recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a), (H)(6)(d), (H)(6)(k)(2), (H)(6)(k)(3), and (H)(6)(k)(11) for acts of misconduct involving ACJA § 7-201(F)(1), ACJA § 7-208(F)(2), (F)(5)(a), (F)(5)(c)(3), (F)(6)(a), (J)(1)(a), (J)(2)(c), (J)(3)(c) and (J)(5)(a).

Should the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Suspend NFB’s certification for a period of no less than 180 days, pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
- b) Issue a cease and desist order enjoining NFB from offering to or preparing legal documents, representing to the public they are certified legal document preparers, or conducting any activities that constitutes the unauthorized practice of law during the period of the suspension and until such time as any and all conditions for reinstatement are met, to the satisfaction of the Board, pursuant to ACJA § 7-201(H)(24)(a)(6)(g);
- c) Issue a Censure to McElfresh, pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- d) Issue a Censure to Cegla, pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- e) Mandate McElfresh participate in no less than ten (10) additional hours of continuing education in the curriculum areas of ethics and professional responsibility, in addition to the annual ten (10) hour continuing education requirement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- f) Mandate Cegla participate in no less than ten (10) additional hours of continuing education in the curriculum areas of ethics and professional responsibility, in addition to the annual ten (10) hour continuing education requirement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- g) As a condition of reinstatement, require NFB and designated Cegla to ensure all individuals preparing legal documents on behalf of NFB and for NFB customers are qualified and reported ACJA § 7-208(F)(5) trainees or hold active individual certification, pursuant to ACJA § 7-

201(H)(24)(a)(6)(d);

- h) As a condition of reinstatement, assess costs associated with the investigation and any related administrative proceedings to NFB, to be remitted no later than sixty (60) days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
- i) Impose a civil penalty against NFB, as a condition of reinstatement, in the amount of \$250.00 per found violation, to be remitted no later than sixty (60) days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

**Motion:** Move to enter a finding ground for formal disciplinary action exists and impose the sanctions as listed above.

**Motion Proposals:** First Andrew Saper  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-148**

**Discussion:** Complaint Number 04-L039 – Carla Lief:

On June 11, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 04-L039. It was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Carla Lief committed the alleged acts of misconduct detailed in the Investigation Summary and Allegation Analysis Report in complaint number 04-L039.

It was further recommended the Board enter a finding grounds for formal disciplinary action exists Carla Lief pursuant to ACJA § 7-201(H)(6)(a) for acts of misconduct involving Arizona Supreme Court Rule 31(a)(2)(B), ACJA § 7-208(F)(1)(b), (F)(2), and ACJA § 7-208 Appendix A Code of Conduct Standard (5)(b).

Should the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Issue a Censure to Lief, pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- b) Mandate Lief participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- c) Assess costs associated with the investigation and related disciplinary proceedings to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to

ACJA § 7-201(H)(24)(a)(6)(j); and,

- d) Impose civil penalties in the amount of \$100.00 per found violation to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

It was further recommended the Board request Division staff contact Lief in advance of filing the Notice of Formal Statement of Charges to determine if Lief is willing to enter a Consent Agreement to the proposed sanctions. If Lief is willing to enter a Consent Agreement, it was recommended the Board request Division staff prepare and deliver a draft Consent Agreement to Lief with a date certain deadline to provide the Division with the signed Consent Agreement or to report she declines the opportunity to resolve the matter by Consent Agreement. If Lief agrees and submits the signed Consent Agreement, the document will be returned to the Board for review and consideration at the November Board meeting. If Lief declines the alternative resolution opportunity or fail to submit the signed Consent Agreement by the established deadline, Division staff shall proceed with the preparation, filing, and service of the Notice of Formal Statement of Charges.

**Motion:** Move to accept recommendation as listed above.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-149**

**Discussion:** Complaint Number 07-L027 – Carla Lief:  
On June 11, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegation 1 and does exist as to Allegation 2 in complaint number 07-L027. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 1. Regarding Allegation 2, it was recommended the Board enter a finding Carla Lief committed the alleged act of misconduct as detailed in the Investigation Summary and Allegation Analysis Report and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201 (H)(6)(a) for an act of misconduct involving Arizona Supreme Court Rule 31(a)(2)(B), ACJA § 7-201(F)(1), § 7-208(F)(2) and (J)(5)(b).

It was recommended the Board consolidate this complaint with any pending complaints involving Lief where the Board has separately determined grounds for formal disciplinary action exists. Should

the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Issue a Censure to Lief, pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- b) Mandate Lief participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- c) Assess costs associated with the investigation and related disciplinary proceedings to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
- d) Impose civil penalties in the amount of \$100.00 per found violation to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

It was further recommended the Board request Division staff contact Lief in advance of filing the Notice of Formal Statement of Charges to determine if Lief is willing to enter a Consent Agreement to the proposed sanctions. If Lief is willing to enter a Consent Agreement, it was recommended the Board request Division staff prepare and deliver a draft Consent Agreement to Lief with a date certain deadline to provide the Division with the signed Consent Agreement or to report she declines the opportunity to resolve the matter by Consent Agreement. If Lief agrees and submits the signed Consent Agreement, the document will be returned to the Board for review and consideration at the November Board meeting. If Lief declines the alternative resolution opportunity or fail to submit the signed Consent Agreement by the established deadline, Division staff shall proceed with the preparation, filing, and service of the Notice of Formal Statement of Charges.

**Motion:** Move to accept recommendation as listed above.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-150**

**2-B:** *Review, discussion and possible action regarding non-certificate holder complaint numbers:*

*NC03-L076 – Silvia Helen Legal Assistance*

NC04-L185 – Silvia Helen  
NC05-L198 – Silvia Helen  
NC04-L171 – AllStar Legal Services  
NC04-L189 – Why Pay A Lawyer/Mesa  
NC05-L152 – Jace Gaston  
NC08-L043 – Jace Gaston  
NC04-L178 – Just Child Support  
NC06-L026 – James Reid and Curtis Management  
NC06-L027 – James Reid and Curtis Management  
NC06-L031 – James Reid and Curtis Management  
NC09-L059 – Corporate Lien Services, LLC  
NC09-L049 – Pre-Liens Arizona, LLC  
NC09-L061 – Construction Notice Services, Inc.  
NC03-L160 – Michael Lanthron  
NC04-L093 – Servicios Legales La Esperanza  
NC04-L157 – Bankruptcy Paralegal Services  
NC04-L159 – Docu-Plus  
NC04-L169 – ABC Document Preparation Service  
NC04-L173 – Arizona Legal Assistance Research and Support  
NC04-L183 – Quick & Easy Legal Services  
NC04-L089 – Ed Blum  
NC04-L090 – Legal Research Consultants  
NC04-L152 – Accident Victims' Advocate and Cynthia Gollihar  
NC04-L199 – Georgia Morrison-Vasquez  
NC05-L132 – Richard Starke  
NC05-L130 – Paralegal-Plus.com  
NC05-L160 – William Drexler  
NC05-L165 – Orion Willis  
NC05-L167 – Marty Guzman  
NC05-L136 – Craigslist  
NC08-L073 – Hung Dinh Phan  
NC06-L105 – Evelyn Baumgardner  
NC09-L041 – Credit Management Association aka CMA  
NC05-L187 – Tamera Martin  
NC06-L115 – Glen Duke  
NC06-L063 – Patty's Title Service

**Discussion:**

NC03-L076 – Silvia Helen Legal Assistance  
NC04-L185 – Silvia Helen  
NC05-L198 – Silvia Helen

These complaints were received on August 6, 2003, June 11, 2004 and October 19, 2005 respectively. The Division first came into contact with this non-certificate holder during Superior Court proceedings regarding the Board's Petition for Cease and Desist Order involving non-certificate holder Carlton Henderson. Ms. Helen assisted in the processing of the complaints underlying the complaints involving Mr. Henderson. The Superior Court entered a

Cease and Desist Order against Mr. Henderson on May 16, 2006. Subsequently, no additional complaints have been submitted or received that demonstrate Ms. Helen is offering or providing legal document preparation services without certification. Therefore, it was recommended the Board close these complaints with no further action.

**Motion:** Move to close the above listed complaints with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-151**

**Discussion:** NC04-L171 – AllStar Legal Services  
NC04-L189 – Why Pay A Lawyer/Mesa  
NC05-L152 – Jace Gaston  
NC08-L043 – Jace Gaston  
These non-certificate holder complaints involving Jace Gaston (aka Jace Groves, Jace Boyle, Jace Cunningham and Jace Hanks) and her non-certified business entities were received on June 11, 2004, June 11, 2004, March 15, 2005 and August 19, 2008 respectively. Division records reflect Ms. Gaston’s individual certification was revoked by the Board on January 31, 2005. Ms. Gaston subsequently applied for reinstatement of certification. At the June 28, 2010 Board meeting, upon review of the Hearing Officer’s recommendation report, the Board affirmed the earlier denial of reinstatement. The Board issued Cease and Desist Order entered at the time Ms. Gaston’s individual certification was revoked remains in effect. Therefore, it was recommended the Board close these complaints with no further action.

**Motion:** Move to close the above listed complaints with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-152**

**Discussion:** NC04-L178 – Just Child Support  
This complaint was received on June 11, 2004. It was not until sometime later the Division determined the business entity was a sole proprietorship operated by former certificate holder Shaaron Miller. Ms. Miller held active certification from August 18, 2003 until June 30, 2005. During the period of active certification, the Division received complaint number 05-L110 involving Ms. Miller. Following an investigation and entry of a probable cause

determination in 05-L110, the Board moved for formal disciplinary action. Unable to locate Ms. Miller to effect service of the Notice of Formal Statement of Charges in complaint number 05-L110, Division staff made a recommendation at the June 28, 2010 Board meeting that the finding for formal discipline remain in place for record purposes but that complaint number 05-L110 be close pending the Division locating Ms. Miller. Similarly, it was recommended the Board close this non-certificate holder complaint with no further action.

**Motion:** Move to close this non-certificate holder complaint with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-153**

**Discussion:** NC06-L026 – James Reid and Curtis Management  
NC06-L027 – James Reid and Curtis Management  
NC06-L031 – James Reid and Curtis Management  
Division records reflect Mr. Reid and Curtis Management held active individual and business entity certifications from July 1, 2003 until June 30, 2005. These complaints were all received after the expiration of their certifications. The Board has previously reviewed these matters for further action and most recently, on December 21, 2009, the Board issued a Cease and Desist Letter to Mr. Reid and Curtis Management in regards to complaint number 08-L025 and referred the matter to the State Bar of Arizona for review and record purposes. Therefore, it was recommended the Board close these complaints with no further action.

**Motion:** Move to close these complaints with no further action.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-154**

**Discussion:** NC09-L059 – Corporate Lien Services, LLC  
NC09-L049 – Pre-Liens Arizona, LLC  
NC09-L061 – Construction Notice Services, Inc.  
Upon receiving notice of the non-certificate holder complaint and the certification requirement, the business entities applied for and were granted certification. Therefore, it was recommended the Board close these complaints without further action.

**Motion:** Move to close the above listed complaints with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-155**

**Discussion:** NC03-L160 – Michael Lanthron  
NC04-L093 – Servicios Legales La Esperanza  
NC04-L157 – Bankruptcy Paralegal Services  
NC04-L159 – Docu-Plus  
NC04-L169 – ABC Document Preparation Service  
NC04-L173 – Arizona Legal Assistance Research and Support  
NC04-L183 – Quick & Easy Legal Services  
These complaints have been open and on file since 2003 and 2004. No new complaints or additional information has been presented that demonstrates these non-certificate holders are offering or providing legal document preparation services. The Division has confirmed no concurrent actions or complaints are open at the State Bar UPL Office. Therefore, it was recommended the Board close these complaints without further action.

**Motion:** Move to close these complaints without further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-156**

**Discussion:** NC04-L089 – Ed Blum  
NC04-L090 – Legal Research Consultants  
These complaints were received on January 14, 2004. Superior Court in Maricopa County records in case number CV2005-016470 reflects the State Bar of Arizona filed civil complaint against Mr. Blum on October 21, 2005. On March 29, 2007, the Honorable Dean Fink entered a Stipulated Order to Cease and Desist in the case. This Order remains in effect to date and no additional complaints have been received involving Mr. Blum or the business entity. Therefore, it was recommended the Board close this complaint with no further action.

**Motion:** Move to close this complaint with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-157**

**Discussion:** NC04-L152 – Accident Victims’ Advocate and Cynthia Gollihar  
This complaint was received on May 10, 2004. The State Bar UPL Office confirmed it reached an informal cease and desist agreement with Ms. Gollihar on September 19, 2005, in advance of filing a formal action in the Superior Court. To date, no additional complaints have been received involving Ms. Gollihar or the business entity. Therefore, it was recommended the Board close this complaint with no further action.

**Motion:** Move to close this complaint with no further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-158**

**Discussion:** NC04-L199 – Georgia Morrison-Vasquez  
On July 17, 2006, the Board moved to pursue a Superior Court Cease and Desist Order against Ms. Morrison-Vasquez. To date, the Petition has not been filed. No new complaints have been received since and the Division has not obtained or received any additional information or evidence that appears to demonstrate Ms. Morrison-Vasquez is offering or providing legal document preparation services. Therefore, it was recommended the Board vacate the earlier order to file a Petition for Cease and Desist in the Superior Court and close this complaint.

**Motion:** Move to vacate the earlier order to file a Petition for Cease and Desist in the Superior Court and close this complaint.

**Motion Proposals:** First Andrew Saper  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-159**

**Discussion:** NC05-L132 – Richard Starke  
On September 18, 2006, the Board moved to pursue a Superior Court Cease and Desist Order against Mr. Starke. To date, the Petition has not been filed. No new complaints have been received since and the Division has not obtained or received any additional information or evidence that appears to demonstrate Mr. Starke is offering or providing legal document preparation services. Therefore, it was recommended the Board vacate the earlier order to file a Petition for Cease and Desist in the Superior Court and close this complaint.

**Motion:** Move to vacate the earlier order to file a Petition for Cease and Desist in the Superior Court and close this complaint.

**Motion Proposals:** First Andrew Saper  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-160**

**Discussion:** NC05-L130 – Paralegal-Plus.com  
NC05-L160 – William Drexler  
NC05-L165 – Orion Willis  
NC05-L167 – Marty Guzman  
These complaints have been open and on file since 2005. No new complaints or additional information has been presented that demonstrates these non-certificate holders are offering or providing legal document preparation services. The Division has confirmed no concurrent actions or complaints are open at the State Bar UPL Office. Therefore, it was recommended the Board close these complaints without further action.

**Motion:** Move to close these complaints without further action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-161**

**Discussion:** NC05-L136 – Craigslist  
This complaint was received on June 30, 2005 and contained only phone number contact information along with offering legal document preparation services. The phone has since been disconnected and no correlation to the phone number could be derived from Division records. Therefore, it was recommended the Board close this complaint with no further action.

**Motion:** Move to close this complaint with no further action.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-162**

**Discussion:** NC08-L073 – Hung Dinh Phan  
This complaint was received on December 12, 2008. On December 17, 2008, the Board sent a cease and desist letter to Mr. Phan and requested he reimburse the consumer complainant the amount of \$299.00. Mr. Phan responded on December 24, 2008, reporting

he'd actually lost money related to the services he provided to the complainant; not referencing whether he'd intended to make the requested reimbursement. On February 23, 2009, the Board issued a second cease and desist letter to Mr. Phan and again requested he reimburse the complainant. On May 10, 2010, the complainant reported she did not receive the requested reimbursement from Mr. Phan. The Division sent a follow-up letter to Mr. Phan on the same day and no response has been received. It was recommended the Board close this complaint with no further action.

**Motion:** Move to close this complaint with no further action.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-163**

**Discussion:** NC06-L105 – Evelyn Baumgardner  
Division records reflect Ms. Baumgardner held active individual certification from July 28, 2003 until June 30, 2005. This complaint was received on October 6, 2006. Division records reflect the Board has previously closed 4 other non-certificate holder complaint involving Ms. Baumgardner. No new complainants have been received. Therefore, it was recommended the Board close this complaint with no further action.

**Motion:** Move to close this complaint with no further action.

**Motion Proposals:** First Andrew Saper  
Second Cynthia Felton

**Motion Results:** Pass **LDP 10-164**

**Discussion:** NC09-L041 – Credit Management Association aka CMA  
This complaint was received on June 17, 2009. On July 6, 2009, CMA employee Cheryl Berg applied for individual certification. No application was received for the business entity. On December 21, 2009, the Board denied Ms. Berg's application for individual certification. Therefore, it was recommended the Board issue a cease and desist letter to Ms. Berg and CMA and close this complaint.

**Motion:** Move to issue a cease and desist letter to Ms. Berg and CMA and close this complaint.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass            **LDP 10-165**

**Discussion:** NC05-L187 – Tamera Martin  
Division records reflect Ms. Martin held active individual certification from December 15, 2003 until June 30, 2005. This complaint was received on August 24, 2005. Therefore, it was recommended the Board send a cease and desist letter to Ms. Martin and close this complaint.

**Motion:** Move to send a cease and desist letter, until she holds active certification to Ms. Martin and close this complaint

**Motion Proposals:** First            Paul Friedman  
Second            Andrew Saper

**Motion Results:** Pass            **LDP 10-166**

**Discussion:** NC06-L115 – Glen Duke  
Division records reflect Mr. Duke held active individual certification from December 20, 2004 until June 30, 2005. This complaint was received on December 6, 2006. No new complaints have been received since. It was recommended the Board send a cease and desist letter to Mr. Duke and close this complaint.

**Motion:** Move to send a cease and desist letter to Mr. Duke and close this complaint.

**Motion Proposals:** First            Andrew Saper  
Second            Paul Friedman

**Motion Results:** Pass            **LDP 10-167**

**Discussion:** NC06-L063 – Patty’s Title Service  
This complaint was received on June 17, 2006. No new complaints have been received and it is unknown if the business entity is offering legal document preparation services which require certification. Division staff has confirmed the business is still operating. Therefore, it was recommended the Board send a cease and desist letter to the business entity and close this complaint.

**Motion:** Move to take no action, and close complaint number NC06-L063.

**Motion Proposals:** First            Paul Friedman  
Second            Deborah Colon-Mateo

**Motion Results:** Pass            **LDP 10-168**

**2-C:** *Review, discussion, and possible action regarding the following certificate holder complaints:*

*Complaint Number 08-L008- Katrina Morales*  
*Complaint Number 09-L085- Jerry Thomas*  
*Complaint Number 10-L012- Elizabeth Moore*  
*Complaint Number 09-L073- Darren Ortiz and Legal Awareness Arizona, LLC*  
*Complaint Number 09-L079- Darren Ortiz*  
*Complaint Number 09-L075- White Mountain paralegal Service and Richard Dandis*

**Discussion:** Complaint Number 08-L008 – Katrina Morales and Servicios Hispanos:

On July 30, 2010, Probable Cause Evaluator Mike Baumstark entered a finding probable cause exists in complaint number 08-L008. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201 (H)(6)(a) and (H)(6)(k)(3) for an act of misconduct involving Arizona Revised Statutes (“ARS”) § 12-2701 and § 12-2702, ACJA § 7-201(F)(1) and ACJA § 7-208(F)(2) and (J)(5)(a).

Should the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Issue a Letter of Concern to Morales and Servicios Hispanos; pursuant to ACJA § 7-201(H)(24)(a)(6)(a);
- b) Issue a cease and desist order enjoining Morales and Servicios Hispanos from offering, advertising or providing unauthorized services or services prohibited by law, pursuant to ACJA § 7-201 (H)(24)(a)(6)(g); and,
- c) Assess costs associated with the investigation and related disciplinary proceedings to be remitted no later than sixty (60) days following entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j).

It was further recommended the Board request Division staff contact Morales and Servicios Hispanos in advance of filing the Notice of Formal Statement of Charges to determine if Morales and Servicios Hispanos are willing to enter a Consent Agreement to the proposed sanctions to resolve the matter pursuant to ACJA § 7-201(H)(24)(a)(6)(c). If Morales and Servicios Hispanos agree, it is recommended the Board request Division staff prepare and deliver a draft Consent Agreement to Morales and Servicios Hispanos with a date certain deadline to provide the Division with the signed

Consent Agreement or report they decline the opportunity to resolve the matter by Consent Agreement. If Morales and Servicios Hispanos agree and submit the signed Consent Agreement, the document will be returned to the Board for review and consideration at the November Board meeting. If Morales and Servicios Hispanos decline the alternative resolution of the matter or fail to submit the signed Consent Agreement by the established deadline, Division staff shall proceed with the preparation, filing, and service of the Notice of Formal Statement of Charges.

**Motion:** Move to accept staff recommendation as listed above.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-169**

**Discussion:** Complaint Number 09-L085 – Jerry Thomas:  
On July 30, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegation 1 and does exist as to Allegation 2 in complaint number 09-L085. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 1 of complaint number 09-L085.

Regarding Allegation 2, it was recommended the Board enter a finding that although Thomas failed to meet the requirements of ACJA § 7-208(F)(3) when she did not place her name, title and certificate number on the documents she prepared for a consumer, this constituted a technical error that did not result in any harm to the consumer. It was recommended the Board dismiss Allegation 2 as recommended.

**Motion:** Move to dismiss Allegation 1 of complaint number 09-L085.

**Motion Proposals:** First Andrew Saper  
Second Hon Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-170**

**Motion:** Move to dismiss Allegation 2 of complaint number 09-L085.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-171**

**Discussion:**

Complaint Number 10-L012 – Elizabeth Moore:

On July 30, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 10-L012. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a), (H)(6)(d) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(E)(5), (F)(1) and (H)(3)(c) and ACJA § 7-208(E)(1), (E)(3)(d)(1), (F)(2), (J)(1)(a), (J)(1)(d), (J)(4)(a) and (J)(4)(b).

Should the Board ultimately enter a finding these violations have occurred, the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Issue a Letter of Concern to Elizabeth Moore, pursuant to ACJA § 7-201(H)(24)(a)(6)(a);
- b) Require Mohave County Paralegal, LLC to comply with ACJA § 7-208(E)(3)(d)(1) and apply for business entity certification within 60 days of Moore receiving notice of entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(d);
- c) Order Moore to reimburse consumer Philip Shelton the amount of \$175.00 within 30 days of Moore receiving notice of entry of the Board’s Final Order, and order Moore to submit documentation of the fulfilled reimbursement with 15 days after of payment, pursuant to ACJA § 7-201(H)(24)(a)(6)(d);
- d) Assess costs associated with the investigation and any related administrative proceedings, to be remitted no later than 60 days following entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
- e) Impose a civil penalty in the amount of \$1,250.00, an amount Mohave County Paralegal, LLC would have paid for certification application and renewal fees during the 2007-09 and 2009-11 certificate periods, to be remitted no later than sixty (60) days following entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

After discussion, staff recommended the matter be deferred to allow staff to conduct additional review.

**Motion:**

Move to defer to the November Board Meeting.

**Motion Proposals:**

First	Andrew Saper
Second	Paul Friedman

**Motion Results:**

Pass                    **LDP 10-172**

**Discussion:**

Complaint Number 09-L073 – Darren Ortiz and Legal Awareness

Arizona, LLC:

On July 30, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 09-L073. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a), (H)(6)(k)(3), and (H)(6)(k)(9) for acts of misconduct involving ACJA § 7-201(F)(1) and ACJA § 7-208(F)(2), (J)(1)(d), (J)(2)(b), (J)(2)(c), (J)(5)(a), (J)(5)(b) and (J)(5)(c).

It was recommended the Board consolidate this complaint with any pending complaints involving Ortiz and Legal Awareness Arizona, LLC where the Board has separately determined grounds for formal disciplinary action exists.

It was recommended the Board offer Ortiz and Legal Awareness Arizona, LLC a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It was recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Ortiz and Legal Awareness Arizona, LLC that if they enter the Consent Agreement they waive their right to a hearing, and impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Suspend Ortiz' individual certification and Legal Awareness Arizona, LLC's business entity certification for a period of not less than 180 days, pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
- b) Issue a cease and desist order enjoining Ortiz and Legal Awareness Arizona, LLC from offering to or preparing legal documents, representing to the public they are certified legal document preparers, or conducting any activities that constitutes the unauthorized practice of law during the period of the suspension and until such time as any and all conditions for reinstatement are met, to the satisfaction of the Board, pursuant to ACJA § 7-201(H)(24)(a)(6)(g);
- c) Order Ortiz participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal and as a condition of reinstatement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- d) Assess costs associated with the investigation and any related administrative proceedings involving complaint number 09-L079 no later than 60 days following entry of the Board's Final Order and as a condition of reinstatement, pursuant to ACJA § 7-201(H)(24)(a)(6)(j), and;
- e) Impose civil penalties in the amount of \$100.00 per found

violation to be remitted no later than 60 days following entry of the Board's Final Order and as a condition of reinstatement, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

In the event Ortiz and Legal Awareness Arizona, LLC decline the opportunity to enter the Consent Agreement within 20 days of receipt of the Board's offer, it was recommended the matter proceed to filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

**Motion:** Move to approve staff recommendation as listed above. In the event that Ortiz and Legal Awareness Arizona, LLC agree to a Consent Agreement, the Board will review it at the November Meeting

**Motion Proposals:** First Andrew Saper  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-173**

**Discussion:** Complaint Number 09-L079 – Darren Ortiz:  
On July 30, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists in complaint number 09-L079. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) for an act of misconduct involving ACJA § 7-201(F)(1) and ACJA § 7-208(F)(2), (J)(1)(a), (J)(2)(b), (J)(2)(c) and (J)(5)(c).

It was recommended the Board consolidate this complaint with any pending complaints involving Ortiz and Legal Awareness Arizona, LLC where the Board has separately determined grounds for formal disciplinary action exists.

It was recommended the Board offer Ortiz a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It was recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Ortiz that if he enters the Consent Agreement he waives his right to a hearing, and imposes the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Issue a Letter of Concern to Ortiz, pursuant to ACJA § 7-201(H)(24)(a)(6)(a);
- b) Order Ortiz participate in no less than three (3) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law,

in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);

- c) Order Ortiz to provide specific, written notice to all prospective customers that he is not an attorney;
- d) Assess costs associated with the investigation and any related administrative proceedings involving complaint number 09-L079 no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j), and;
- e) Impose civil penalties in the amount of \$100.00 per found violation to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

In the event Ortiz declines the opportunity to enter the Consent Agreement within 20 days of receipt of the Board's offer, it was recommended the matter proceed with the filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

**Motion:** Move to approve staff recommendation as listed above. In the event that Ortiz agrees to a Consent Agreement, the Board will review it at the November Meeting.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman  
Recused Cynthia Felton

**Motion Results:** Pass **LDP 10-174**

**Discussion:** Complaint Number 09-L075 – White Mountain Paralegal and Richard Dandis:

On July 29, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegation 1 and does exist as to Allegation 2 in complaint number 09-L075. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 1 of complaint number 09-L075. Regarding Allegation 2, it was recommended the Board enter a finding Richard Dandis committed the alleged act of misconduct.

It was further recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration ("ACJA") § 7-201(H)(6)(a) and (H)(7) and issue a Letter of Concern to Richard Dandis.

**Motion:** Move to accept the finding of the Probable Cause Evaluator and

dismiss Allegation 1 of complaint number 09-L075.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-175**

**Motion:** Move to enter a finding Richard Dandis committed the alleged act of misconduct and enter a finding ground for informal disciplinary action exists and issue a Letter of Concern to Richard Dandis.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-176**

**2-D:** *Review, discussion and possible action regarding complaints dismissed the Division Director pursuant to Arizona Code of Judicial Administration § 7-201(D)(4)(a) and (H)(2)(a):*

*Complaint Number NC09-L067*

*Complaint Number NC10-L013*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** **Complaint Number NC09-L067:**  
On July 21, 2010, Division Director Nancy Swetnam dismissed complaint number NC09-L067 with prejudice for lack of jurisdiction, referring the matter to an entity which may hold jurisdiction. On July 21, 2010, notice of the dismissal was forwarded to the complainant with notice the complainant could request Board review of the dismissal. No request for review has been received. It was recommended the Board affirm the dismissal of complaint number NC09-L067.

**Motion:** Move to affirm the dismissal of complaint number NC09-L067.

**Motion Proposals:** First Cynthia Felton  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-177**

**Discussion:** **Complaint Number NC10-L013:**  
On June 11, 2010, Division Director Swetnam dismissed complaint number NC10-L013 with prejudice for lack of jurisdiction, referring the matter to an entity which may hold jurisdiction. On June 15, 2010, notice of the dismissal was forwarded to the complainant

with notice the complainant could request Board review of the dismissal. No request for review has been received. It was recommended the Board affirm the dismissal of complaint number NC10-L013.

**Motion:** Move to affirm the dismissal of complaint number NC10-L013.

**Motion Proposals:** First Cynthia Felton  
Second Deborah Colon-Mateo

**Motion Results:** Pass **LDP 10-178**

**2-E:** *Review, discussion and possible action regarding Hearing Officer Stephen Leshner's Recommendation Report in complaint number 09-L071 involving certificate holders Karla Wyrostek and Karla's Paralegal Services, Inc.*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Prior to the meeting The Board reviewed a copy of Hearing Officer Leshner's Recommendation Report regarding complaint number 09-L071 involving certificate holders Karla Wyrostek and Karla's Paralegal Services, Inc. and the charging document, the certificate holder's Answer, and the underlying case summary documents.

It was recommended the Board enter into Executive Session to seek advice of counsel regarding legal issues relevant to this action.

**Motion:** Move to enter into Executive Session.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-179**

Executive Session 11:23 a.m. to 11:31 a.m.

**Motion:** Move to adopt Hearing Officers findings with the exception as noted on page 4, that should read section 7-208 (f)(1)(a) and issue a letter of concern.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper  
Recusal Debbie Young

**Motion Results:** Pass **LDP 10-180**

**Motion:** Move to authorize Chair Les Krambeal to sign the final order on

behalf of the Board.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-181**

**2-F:** *Review, discussion, and possible action regarding the following certificate holder complaints:*

*Complaint Number 09-L078 – Ken Volk*

*Complaint Number 10-L010 – Ken Volk*

*Complaint Number 09-L088 - Elaine Anghel & Tri-City Property Management Services, Inc.*

*Complaint Number 10-L030 – Elaine Anghel & Tri-City Property Management Services, Inc.*

*Complaint Number 10-L025 – Mark Schmidt*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Complaint Number 09-L078 – Ken Volk:

On July 10, 2010, Probable Cause Evaluator Mike Baumstark entered a finding probable cause does not exist as to Allegations 1, 2 and 3 and does exist as to Allegations 4 and 5 in complaint number 09-L078. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegations 1, 2 and 3.

Regarding Allegations 4 and 5, it was recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a), (H)(6)(k)(2) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(F)(1), ACJA § 7-208(E)(3)(d)(1), (F)(1), (F)(2), (J)(5)(a) and (J)(5)(b).

Should the Board ultimately enter a finding these violations have occurred, it was recommended the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Suspend Kenneth Volk's certification for a period of no less than 180 days, pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
- b) Issue a cease and desist order against Kenneth Volk enjoining Volk from preparing legal documents, representing to the public they are certified legal document preparers, or conducting any activities that constitutes the unauthorized practice of law during the period of the suspension and until such time as any and all conditions for reinstatement are met, to the satisfaction of

- the Board, pursuant to ACJA § 7-201(H)(24)(a)(6)(g);
- c) As a condition of reinstatement, require Arizona Tenants Advocates, Inc. to comply with ACJA § 7-208(E)(3)(d), pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
  - d) Mandate Volk participate in no less than ten (10) additional hours of continuing education in the curriculum areas of the unauthorized practice of law, ethics and professional responsibility, in addition to the annual ten (10) hour continuing education requirement, and as a condition for reinstatement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
  - e) Assess costs associated with the investigation and any related administrative proceedings, to be remitted no later than sixty (60) days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
  - f) Impose a civil penalty in the amount of \$250.00 per found violation, to be remitted no later than sixty (60) days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

**Motion:** Move to accept staff recommendations and dismiss Allegation 1, 2 and 3 as listed above.

**Motion Proposals:** First Cynthia Felton  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-182**

**Motion:** Move to accept staff recommendation regarding Allegation 4 and 5 as listed above.

**Motion Proposals:** First Cynthia Felton  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-183**

**Discussion:** Complaint Number 10-L010 – Ken Volk:  
On July 30, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause does not exist as to Allegation 2 and does exist as to Allegation 1 in complaint number 10-L010. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and dismiss Allegation 2.

Regarding Allegation 1, it was recommended the Board enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(j) for acts of misconduct involving ACJA § 7-201(F)(1) and ACJA § 7-208(F)(2), (J)(1)(a) and (J)(5)(a).

It was recommended the Board consolidate this complaint with any pending complaints involving Volk where the Board has separately determined grounds for formal disciplinary action exists.

Should the Board ultimately enter a finding these violations have occurred, it is recommended the Board impose the following sanctions pursuant to ACJA § 7-201(H)(24)(a)(6):

- a) Suspend Kenneth Volk’s certification for a period of no less than 180 days, pursuant to ACJA § 7-201(H)(24)(a)(6)(h);
- b) Issue a cease and desist order against Kenneth Volk enjoining Volk from preparing legal documents, representing to the public they are certified legal document preparers, or conducting any activities that constitutes the unauthorized practice of law during the period of the suspension and until such time as any and all conditions for reinstatement are met, to the satisfaction of the Board, pursuant to ACJA § 7-201(H)(24)(a)(6)(g);
- c) Mandate Volk participate in no less than ten (10) additional hours of continuing education in the curriculum areas of the unauthorized practice of law, ethics and professional responsibility, in addition to the annual ten (10) hour continuing education requirement, and as a condition for reinstatement, pursuant to ACJA § 7-201(H)(24)(a)(6)(f);
- d) Assess costs associated with the investigation and any related administrative proceedings, to be remitted no later than sixty (60) days following entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
- e) Impose a civil penalty in the amount of \$250.00 per found violation, to be remitted no later than sixty (60) days following entry of the Board’s Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

**Motion:** Move to accept staff recommendation as listed above.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-184**

**Discussion:** Complaint Number 09-L088 – Elaine Anghel and Tri-City Property Management Services, Inc.:

On August 24, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists as to Allegations 1, 2, 3 and 4 in complaint number 09-L088. Therefore, it was recommended the

Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(F)(1), ACJA § 7-208(F)(2), (J)(4)(b), (J)(5)(b) and (J)(5)(c).

It was recommended the Board consolidate this complaint with any pending complaints involving Anghel and Tri-City where the Board has separately determined grounds for formal disciplinary action exists.

It was recommended the Board offer Anghel and Tri-City a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It was recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Anghel and Tri-City that if they enter the Consent Agreement they waive their right to a hearing, and imposes the following sanctions pursuant to ACJA § 7-201 (H)(24)(a)(6):

- a) Issue a Censure to Anghel and Tri-City, pursuant to ACJA § 7-201 (H)(24)(a)(6)(b);
- b) Order Anghel participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201 (H)(24)(a)(6)(f);
- c) Impose civil penalties in the amount of \$250.00 per found violation to be remitted no later than 60 days following entry of the Board’s Final Order, pursuant to ACJA § 7-201 (H)(24)(a)(6)(k).

In the event Anghel and Tri-City decline the opportunity to enter the Consent Agreement within 20 days of receipt of the Board’s offer, it was recommended the matter proceed with the filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

***Motion:*** Move to accept recommendation as listed above with the inclusion of the cost of the investigation. If Anghel and Tri-City agree to enter into a consent agreement, it will be reviewed by the Board at the November meeting.

***Motion Proposals:*** First Paul Friedman  
Second Andrew Saper

***Motion Results:*** Pass **LDP 10-185**

***Discussion:*** Complaint Number 10-L030 – Elaine Anghel and Tri-City Property

Management Services, Inc.:

On August 24, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists as to Allegations 1, 2, 3, 4, 5, 6, 7, 8 and 9 in complaint number 10-L030. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(F)(1), ACJA § 7-208(F)(2), (J)(5)(b) and (J)(5)(c).

It was recommended the Board consolidate this complaint with any pending complaints involving Anghel and Tri-City where the Board has separately determined grounds for formal disciplinary action exists.

It was recommended the Board offer Anghel and Tri-City a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It was recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Anghel and Tri-City that if they enter the Consent Agreement they waive their right to a hearing, and imposes the following sanctions pursuant to ACJA § 7-201 (H)(24)(a)(6):

- a) Issue a Censure to Anghel and Tri-City, pursuant to ACJA § 7-201 (H)(24)(a)(6)(b);
- b) Order Angel participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201 (H)(24)(a)(6)(f);
- c) Impose civil penalties in the amount of \$250.00 per found violation to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201 (H)(24)(a)(6)(k).

In the event Anghel and Tri-City decline the opportunity to enter the Consent Agreement within 20 days of receipt of the Board's offer, it was recommended the matter proceed with the filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

***Motion:***

Move to accept recommendation as listed above with the inclusion of the cost of the investigation. If Anghel and Tri-City agree to enter into a consent agreement, it will be reviewed by the Board at the November meeting.

***Motion Proposals:***

First	Paul Friedman
Second	Andrew Saper

**Motion Results:** Pass **LDP 10-186**

**Discussion:** Complaint Number 10-L025 – Mark Schmit:

On August 24, 2010, Probable Cause Evaluator Baumstark entered a finding probable cause exists as to Allegations 1, 2 and 3 in complaint number 10-L025. Therefore, it was recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding grounds for formal disciplinary action exists pursuant to ACJA § 7-201(H)(6)(a) and (H)(6)(k)(3) for acts of misconduct involving ACJA § 7-201(F)(1) and ACJA § 7-208(F)(2), (J)(5)(a), (J)(5)(b) and (J)(5)(c).

It was recommended the Board offer Schmidt a Consent Agreement to resolve this complaint, pursuant to ACJA § 7-201(H)(24)(a)(6)(c). It was recommended the proposed Consent Agreement include an acknowledgement of the misconduct, a statement giving notice to Schmidt that if he enters the Consent Agreement he waives his right to a hearing, and the following sanctions will be imposed pursuant to ACJA § 7-201 (H)(24)(a)(6):

- a) Issue a Censure to Schmidt, pursuant to ACJA § 7-201 (H)(24)(a)(6)(b);
- b) Order Schmidt participate in no less than five (5) hours of continuing education in the curriculum areas of professional responsibility, ethics, and the unauthorized practice of law, in addition to any hours otherwise required for renewal, pursuant to ACJA § 7-201 (H)(24)(a)(6)(f);
- c) Impose civil penalties in the amount of \$250.00 per found violation to be remitted no later than 60 days following entry of the Board’s Final Order, pursuant to ACJA § 7-201 (H)(24)(a)(6)(k).

In the event Schmidt declines the opportunity to enter the Consent Agreement within 20 days of receipt of the Board’s offer, it was recommended the matter proceed with the filing and service of Notice of Formal Statement of Charges pursuant to ACJA § 7-201(H)(10) without further Board order.

**Motion:** Move to accept recommendation as listed above with the inclusion of the cost of the investigation. If Schmidt agrees to enter into a consent agreement, it will be reviewed by the Board at the November meeting.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-187**

**2-G:** *Review, discussion and possible action regarding the formal disciplinary action involving complaint number 03-L025, Roger Stump and Stump and Associates, LLC.*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** On July 30, 2010, the Board filed a Notice of Formal Statement of Charges in complaint number 03-L025 involving former certificate holders Roger Stump and Stump and Associates, LLC. The Notice of Formal Statement of Charges was personally served to Mr. Stump and Stump and Associates, LLC on August 11, 2010. Mr. Stump and Stump and Associates, LLC did not file an Answer as required by ACJA § 7-201(H)(11).

Therefore, it was recommended the Board adopt the Factual Allegations of Misconduct contained in the Notice of Formal Statement of Charges as the findings of fact and adopt the Formal Charges as the conclusions of law. It was further recommended the Board order the following disciplinary sanctions:

- a) Issue a Censure to Roger Stump and Stump and Associates, LLC, pursuant to ACJA § 7-201(H)(24)(a)(6)(b);
- b) Assess costs associated with the investigation and any related administrative proceedings involving complaint number 03-L025 in the amount of \$761.97, to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(j); and,
- c) Impose a civil penalty in the amount of \$250.00, to be remitted no later than 60 days following entry of the Board's Final Order, pursuant to ACJA § 7-201(H)(24)(a)(6)(k).

**Motion:** Move to adopt the Factual Allegations of Misconduct contained in the Notice of Formal Statement of Charges as the findings of fact and adopt the Formal Charges as the conclusions of law and order the above listed disciplinary sanctions.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-188**

**Motion:** Move to allow Chair, Les Krambeal to sign the Censure.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-189**

**2-H:** *Review, discussion and possible action regarding non-certificate holder complaint number NC08-042 involving former certificate holder Steven Wyner and NC10-L047 involving Steven Wyner and non-certified business entity Family Metro Paralegal Services.*

**Individuals Addressing the Board:** Linda Grau

**Discussion:** Certification and Licensing Division records reflect Steven Wyner held active individual legal document preparer certification from July 28, 2003 until June 14, 2007. On June 14, 2007, the Board filed a Final Order and Cease and Desist Order in complaint numbers 05-L055, 05-L059 and 05-L071. The Final Order revoked Wyner's individual certification and assessed costs of the administrative disciplinary proceedings in the amount of \$2,634.31. Wyner did not remit the assessed costs as ordered and has not applied for reinstatement of certification. The Cease and Desist Order enjoined Wyner from "...preparing legal documents, representing himself to the public as a certified legal document preparer, or conducting or engaging in any activity that constitutes the unauthorized practice of law." Wyner and his attorney received notice of the Final Order and the Cease and Desist Order.

On August 25, 2008, the Division received non-certificate holder complaint number NC08-L042 alleging Wyner was offering legal document preparation services to the general public through Craigslist postings. The Division sent letters to Wyner regarding the postings on September 10, 2008 and January 15, 2009. The September 10, 2008 letter referenced the earlier revocation order and both letters requested Wyner provide a written response confirming receipt of the letter. Division records reflect the mailings were not returned by the U.S. Postal Service and are presumed delivered. Wyner did not provide the requested responses. Absent the requested responses from Wyner, no evidence was obtained confirming Wyner posted the advertisements. Therefore, it is recommended the Board close complaint number NC08-L042 without further action.

On August 16, 2010, the Division received non-certificate holder complaint number NC10-L047 involving Wyner and Family Metro Paralegal Services. Family Metro Paralegal Services has never applied for or been granted business entity certification. The Arizona Secretary of State's online trade name database reflects Wyner is the owner of Family Metro Paralegal Services. The complainant, Crystal Strauss, reported she came into contact with

Wyner following a Google search for child support modification assistance. Strauss provided documentation and an Affidavit confirming she met with Wyner on March 3, 2010 and May 7, 2010 regarding document preparation services. In addition to providing copies of check faces - made payable to Wyner personally - totaling \$782.00, Strauss provided a copy of the contract she entered with Family Metro Paralegal Services on March 3, 2010. The contract, signed by Strauss and Wyner, provides Family Metro Paralegal Services would prepare "Stipulated Notice for C.S. [Child Support] Modification & Supporting Docs." The contract confirmed Strauss paid Wyner \$300.00 for the preparation of the documents. Strauss reported Wyner emailed her copies of the documents he prepared for her on or about March 10, 2010 but she was unable to reach Wyner for follow-up until May of 2010. At a May 7<sup>th</sup> meeting with Wyner at Strauss' residence, Wyner allegedly accepted a check from Strauss for filing fees in the amount for \$482.00. Strauss reported she "fired" Wyner in July and requested a refund because the documents had not been filed as promised. Strauss indicates she has subsequently hired an attorney to handle the work she paid Wyner and Family Metro Paralegal Services for.

Regarding complaint number 10-L047, it was recommended the Board move for the filing of a Petition for a Cease and Desist Order against Steven Wyner and Family Metro Paralegal Services in the Superior Court pursuant to ACJA § 7-201(E)(6) and ACJA § 7-208(E)(1). It was recommended the Board, in its motion, specifically inform the Superior Court in the Petition that the Board previously issued a disciplinary Cease and Desist Order enjoining Wyner and that the Board request the Attorney General's Office include in the Petition a request that the Superior Court enter an order requiring Wyner to reimburse Strauss the \$782.00 she paid Wyner for document preparation services and filing fees. It was further recommended the Board request the Superior Court Petition seek an order requiring Wyner to reimbursement costs incurred for the Superior Court proceedings.

**Motion:** Move to close complaint number NC08-L042.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-190**

**Motion:** Move to accept staff recommendation as listed above.

**Motion Proposals:** First Paul Friedman  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass                    **LDP 10-191**

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**3) ADMINISTRATIVE ISSUES**

**3-A:**        *Review, discussion, and possible action regarding setting the 2011 meeting calendar.*

**Individuals Addressing the Board:**    Kandace French

**Discussion:**                    The Board of Legal Document Preparers was asked to consider and approve a 2011 meeting calendar. It was recommended the board continue to meet on the fourth Monday of the applicable month from 10:00 a.m. to 2:00 p.m. Therefore, it was recommended the 2011 meeting calendar be set as follows:

- January 24, 2011
- February 28, 2011
- April 25, 2011
- June 27, 2011
- July 25, 2011
- September 26, 2011
- November 28, 2011

**Motion:**                        Move to approve the 2011 meeting calendar as listed above.

**Motion Proposals:**    First                    Paul Friedman  
                                  Second                Andrew Saper  
                                  Abstain                Deborah Colon-Mateo

**Motion Results:**        Pass                    **LDP 10-192**

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**4) INITIAL CERTIFICATION APPLICATIONS**

**4-A:**        *Review, discussion and possible action regarding the following pending applicants for 2009-2011 certification.*

1.        Grace M. Davirro
2.        Shawn J. Cullison
3.        Kathryn A. Kaiser
4.        Deborah L. Mojica
5.        Rae T. MacLean
6.        Pamela J. Wilson

7. Bernadette M. DeAngelis
8. Key Legal Document Solutions, PLC (Bernadette M. DeAngelis)
9. Stephanie R. Wirick
10. Nikki J. Parker
11. John D. Price
12. Lynette M. Torres
13. Renee L. Martin
14. Nancy A. James
15. Martha M. Barraza
16. Kara Stewart
17. Yesenia P. Feliciano
18. Beverly C. Lyles
19. Ruby A. Pino
20. Jennifer E. Hammans
21. Tamera K. Martin
22. Daphne J. A. Metzger
23. Christi L. Weedon
24. Stephen D. Glacy
25. Cynthia Y. Reason-Tellez
26. Patricia L. Morrison
27. Bruce A. Evers
28. Camerin-Charles E. Hawthorne
29. Lynette R. Stahl
30. Lynne's Document Preparation Services (Lynne R. Stahl)
31. Metropolis Loans (Camerin-Charles E. Hawthorne)
32. Tracy's Legal Doc Prep Service, LLC (Tracy L. Reay)
33. American Contractor Licensing Services, Inc. (Bruce A. Evers)
34. Morrison Group, Inc (Patricia L. Morrison)
35. Michael T. Mahoney

***Individuals Addressing the Board:*** Kimberly Siddall

***Discussion:*** The following applicants have demonstrated they met the minimum eligibility requirements for standard certification, it was recommended standard certification be granted to the following individuals/business entities:

1. Grace M. Davirro
2. Shawn J. Cullison
3. Kathryn A. Kaiser
4. Deborah L. Mojica
5. Rae T. MacLean
6. Pamela J. Wilson
7. Bernadette M. DeAngelis
8. Key Legal Document Solutions, PLC (Bernadette M. DeAngelis)

***Motion:*** Move to grant standard certification to the above listed applicants.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-193**

**Discussion:** The following applicants remain incomplete pending receipt of additional information. It was recommended these applicants be deferred to the November meeting.

10. Nikki J. Parker
11. John D. Price
12. Lynette M. Torres
21. Tamera K. Martin
22. Daphne J. A. Metzger
23. Christi L. Weedon
28. Camerin-Charles E. Hawthorne
31. Metropolis Loans (Camerin-Charles E. Hawthorne)
32. Tracy's Legal Doc Prep Service, LLC (Tracy L. Reay)
34. Morrison Group, Inc (Patricia L. Morrison)

**Motion:** Move to defer the above listed applicants to the November meeting.

**Motion Proposals:** First Paul Friedman  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-194**

**Discussion:** Staff recommended to grant standard certification to the following applicants:

13. Renee L. Martin
14. Nancy A. James
16. Kara Stewart
17. Yesenia P. Feliciano
18. Beverly C. Lyles
20. Jennifer E. Hammans
29. Lynette R. Stahl
30. Lynne's Document Preparation Services (Lynne R. Stahl)

**Motion:** Move to grant standard certification to the above listed applicants.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-195**

**Discussion:** It was recommended to grant standard certification to the following applicant:

9. Stephanie R. Wirick

**Motion:** Move to grant standard certification to Stephanie R. Wirick.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-196**

**Discussion:** It was recommended to defer consideration of the following applicant to the November meeting:

15. Martha M. Barraza

**Motion:** Move to defer consideration of the above listed applicant to the November meeting.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-197**

**Discussion:** It was recommended to grant standard certification to the following applicant:

19. Ruby A. Pino

**Motion:** Move to grant standard certification to Ruby A. Pino.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-198**

**Discussion:** It was recommended to grant standard certification to the following applicant:

24. Stephen D. Glacy

**Motion:** Move to grant standard certification to Stephen D. Glacy.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-199**

**Discussion:** It was recommended to grant standard certification to the following applicant:

25. Cynthia Y. Reason-Tellez

**Motion:** Move to grant standard certification to Cynthia Y. Reason-Tellez with staff to include language that future non disclosure will result in denial or disciplinary action.

**Motion Proposals:** First Andrew Saper  
Second Paul Friedman

**Motion Results:** Pass **LDP 10-200**

**Discussion:** It was recommended to grant standard certification to the following applicant:

26. Patricia L. Morrison

**Motion:** Move to grant standard certification to Patricia L. Morrison.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-201**

**Discussion:** It was recommended to grant standard certification to the following applicant:

27. Bruce A. Evers

**Motion:** Move to grant standard certification to Bruce A. Evers.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-202**

**Discussion:** It was recommended to grant standard certification with staff to include language that future non disclosure will result in denial or disciplinary action to the following applicant:

33. American Contractor Licensing Services, Inc. (Bruce A. Evers)

**Motion:** Move to grant standard certification without additional language.

**Motion Proposals:** First Paul Friedman  
Second Hon. Robert H. Oberbillig

**Motion Results:** Pass **LDP 10-203**

**Discussion:** 35. Michael T. Mahoney –  
Applicant received his Juris Doctor degree from Loyola University New Orleans in August 1987. Applicant was admitted in

Louisiana; however, is currently ineligible to practice law for non-payment of membership dues and assessment fees as of September 4, 2002. No discipline actions have been imposed against the applicant. Therefore, it was recommended the Board grant certification and require Mr. Mahoney to submit an Affidavit stating he understands and will comply with the provisions of Arizona Code of Judicial Administration § 7-201 and § 7-208 and Supreme Court Rule 31 regarding the unauthorized practice of law and use of the “JD” designation.

**Motion:** Move to grant standard certification to Michael T. Mahoney and require Mr. Mahoney to submit an Affidavit.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-204**

**4-B:** *Review of Business Entity Exemption Request for the 2009-2011 initial certification period:*

1. Lynne’s Document Preparation Services (Lynne R. Stahl)
2. Metropolis Loans (Camerin-Charles E. Hawthorne)
3. Tracy’s Legal Doc Prep Service, LLC (Tracy L. Reay)

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** It was recommended the following Business Entity Exemption be granted:

1. Lynne’s Document Preparation Services (Lynne R. Stahl)

**Motion:** Move to grant standard certification to the above listed business.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-205**

**Discussion:** It was recommended the following Business Entity Exemption be deferred to the November meeting:

2. Metropolis Loans (Camerin-Charles E. Hawthorne)
3. Tracy’s Legal Doc Prep Service, LLC (Tracy L. Reay)

**Motion:** Move to defer the above listed Business Entity Exemptions to the November meeting.

**Motion Proposals:** First Andrew Saper

Second Paul Friedman

**Motion Results:** Pass **LDP 10-206**

**4-C:** *Review, discussion, interview and action regarding pending initial application of Danette L. Cheney.*

**Individuals Addressing the Board:** Kimberly Siddall, Danette L. Cheney

**Discussion:** The Board interviewed applicant, Danette L. Cheney regarding the work she performed for Arizona public Service and her failure to disclose a 1997 DUI and two civil actions in order to decide if the above information is contrary to Ms. Cheney's individual certification being granted.

**Motion:** Move to deny initial certification pursuant to ACJA 7-201 (e)(2)(c)(1) for lack of qualifications and eligibility requirements for certification.

**Motion Proposals:** First Paul Friedman  
Second Cynthia Felton

**Motion Results:** Pass **LDP 10-207**

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## 5) OTHER CERTIFICATION ACTIONS

**5-A:** *Review, discussion and possible action regarding Hearing Officer Daniel Jurkowitz's Recommendation Report involving the denial of the individual certification application submitted by James D. Jenkins.*

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Board previously reviewed the Finding of Facts, Conclusions of Law, and Hearing Officer's Recommendation report regarding the denial of Mr. Jenkins' certification application. Hearing Officer Jurkowitz recommends the Board uphold the denial or, permit reconsideration of the decision and allow Mr. Jenkins an opportunity to present his mitigating information either in writing or invite him to an informal interview. Mr. Jenkins hand delivered a response, therefore it was recommended that the Board defer this matter to the November meeting to allow the Board time to review Mr. Jenkins response.

**Motion:** Move to defer to the November meeting.

**Motion Proposals:** First Deborah Colon-Mateo  
Second Bonnie Matheson

**Motion Results:** Pass **LDP 10-208**

**5-B:** Review, discussion, and possible action regarding request for placement on Inactive Status received from Salina Faaborg, Certificate Number 81050.

**Individuals Addressing the Board:** Kimberly Siddall

**Discussion:** Ms. Faaborg was initially granted certification on July 1, 2005 and on January 28, 2008 the Board accepted her voluntary surrender of her certification. On June 23, 2008, Ms. Faaborg was granted certification and on May 20, 2010 submitted a request for her license to be placed on inactive status.

Staff has confirmed there are no outstanding complaints against Ms. Faaborg and; therefore, recommends the Board transfer her certificate to inactive status in good standing.

**Motion:** Move to transfer Ms. Faaborg's certificate to inactive status in good standing.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

**Motion Results:** Pass **LDP 10-209**

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## CALL TO THE PUBLIC

**Individuals Addressing the Board:** Nicki Parker

**Discussion:** Ms. Parkers application to be certified was on today's agenda, but was deferred until November. She questioned why it was deferred. Staff will discuss this with her after the meeting.

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## ADJOURNMENT

**Motion:** Adjourn the meeting.

**Motion Proposals:** First Paul Friedman  
Second Andrew Saper

***Motion Results:*** Pass      **LDP 10-210**

***Time:*** 12:36 p.m.

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