



**Arizona Supreme Court
Legal Document Preparer Board**

Arizona State Courts Building
1501 West Washington Street
Phoenix, Arizona 85007
Hearing Room 109

Date: July 16, 2012
Time: 10:00 A.M.

APPROVED Regular Meeting Minutes

MEMBER ATTENDANCE

Present:

Paul Friedman
Mary Carlton
Pamela Milburn
Bonnie Matheson

Telephonically Present:

Judge Samuel Myers
Rebecca Nilsen

Absent:

Deborah Young
Deborah Colon-Mateo

OTHER ATTENDEES:

AOC Staff:

Linda Grau
Debbie MacDougall
Nina Preston
Kimberly Siddall
Rick Sczerbicki
Annette Fields
Bill MacIntyre

Guests:

Julie Haigh
Pamela Jefferson

CALL TO ORDER

Called to Order By: Mary Carlton

Time: 10:03 A.M.

1) **REVIEW AND APPROVAL OF MINUTES**

1-A: Review, discussion, and possible action regarding approval of the regular session minutes of the meeting of May 21, 2012.

Individuals Addressing the Board: Mary Carlton

Discussion: None

Motion: Move to approve the regular session minutes of the May 21, 2012 meeting.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

1-B: Review, discussion, and possible action regarding approval of the executive session minutes of the meeting of May 21, 2012.

Individuals Addressing the Board: Mary Carlton

Discussion: None

Motion: Move to approve the executive session minutes of the May 21, 2012 meeting.

Motion Proposals: First Paul Friedman
Second Pamela Milburn
Abstained Bonnie Matheson

Motion Results: Pass

2) **PENDING COMPLAINTS**

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

*Complaint Numbers NC05-L174- Geoffrey White
NC05-L144- Glenn Hadley
NC05-L199- Arizona Mediation*

Individuals Addressing the Board: Linda Grau

Discussion: Linda Grau introduced Bill MacIntyre, a new investigator, and explained a new modified format that Division staff will be using to resolve the backlog of complaints.

In conducting a review of the pending caseload and backlog, the Programs and Investigations Unit Team has been unable to locate the files for these complaints. All options for deriving the information related to these complaints have been exhausted without avail.

Staff recommends the Board close these complaints with no further action given the age of the complaints.

Motion: Move to accept staff's recommendation and dismiss Complaints NC05-L174, NC05-L144 and NC05-L199 with no further action.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

***Complaint Numbers NC08-L067- Janet Lucchesi
NC09-L020- RapidLaw.net
NC11-L015- CC Title Service
NC11-L040- Gary Norris
NC12-L017- Sandra Payne
NC11-L027- Lory Toon***

Individuals Addressing the Board: Linda Grau

Discussion: Staff recommends the Board close these complaints and take no further action at this time.

Motion: Move to accept staff's recommendation and dismiss Complaints NC08-L067, NC09-L020, NC11-015, NC11-L040, NC12-L017 and NC11-L027 with no further action.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Complaint Numbers NC08-L030- Jan Rust
NC10-L054- Jan Rust
NC06-L095- Michael Hawkins
NC07-L069- Michael Hawkins
NC08-L035- Michael Hawkins
NC10-L003- Secure Estate Management
Insurance
NC11-L017- Camerin Hawthorne
NC10-L044- AZ Medlien
NC11-L039- AZ Medlien
NC12-L020- Michael Dugger
NC12-L016- Armida Coronado
NC12-L009- Dwight Knight and Rock Solid
Paralegal Services, LLC
NC12-L004- Mary Esther Panuco
NC12-L002- Kathy Chalmers
NC11-L042- Leisa Jones Floyd
NC11-L026- Tao Nguyen

Individuals Addressing the Board: Linda Grau

Discussion: Staff recommends the Board issue a cease and desist letter to these individuals and/or business entities and close the complaints with no further action.

Motion: Move to accept staff's recommendation that cease and desist letters be sent to the following individuals and or business entities: Jan Rust, Michael Hawkins, Secure Estate Management Insurance, Camerin Hawthorne, AZ Medlien, Michael Dugger, Armida Coronado, Dwight Knight, Rock Solid Paralegal Services, LLC, Mary Esther Panuco, Kathy Chalmers, Leisa Jones Floyd and Tao Nguyen and that the following complaints be closed with no further action: NC08-L030, NC10-L054, NC06-L095, NC07-L069, NC08-L035, NC10-L003, NC11-L017, NC10-L044, NC11-L039, NC12-L020, NC12-L016, NC12-L009, NC12-L004, NC12-L002, NC11-L042, NC11-L026.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Rebecca Nilsen joins meeting telephonically at 10:12 A.M.

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

Complaint Number NC11-L038

Individuals Addressing the Board: Linda Grau

Discussion: On June 20, 2012, Division Director Nancy Swetnam dismissed complaint number NC11-L038 with prejudice for lack of jurisdiction and referred the matter to an entity which may have jurisdiction. Notice of the dismissal was forwarded to the complainant on June 21, 2012, along with notice of the complainant’s right to request Board review of the Division Director’s dismissal. To date, no request for review has been received from the complainant.
Staff recommends the Board affirm the Division Director’s dismissal.

Motion: Move to accept staff’s recommendation and affirm the Division Director’s dismissal of Complaint Number NC11-L038.

Motion Proposals: First Paul Friedman
 Second Pamela Milburn

Motion Results: Pass

Complaint Number NC12-L023

Individuals Addressing the Board: Linda Grau

Discussion: On June 20, 2012, Division Director Nancy Swetnam dismissed complaint number NC12-L023 with prejudice for lack of jurisdiction and referred the matter to an entity which may have jurisdiction. Notice of the dismissal was forwarded to the complainant on June 21, 2012, along with notice of the complainant’s right to request Board review of the Division Director’s dismissal. To date, no request for review has been received from the complainant.
Staff recommends that the Board affirm the Division Director’s dismissal.

Motion: Move to accept staff’s recommendation and affirm the Division Director’s dismissal of Complaint Number NC12-L023.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

3) ADMINISTRATIVE ISSUES

3-A: *There are no issues for the Board's consideration at this time.*

Individuals Addressing the Board: Debbie MacDougall

Discussion: None

4) INITIAL CERTIFICATION APPLICATIONS

4-A: *Review, discussion and possible action regarding the following pending applications for the 2011-2013 standard certification period:*

- 1. Rhonda Stump*
- 2. Mia Olmos-Garcia*
- 3. Lawrence Castrovinci*
- 4. Concepcion Zambrano*
- 5. Christian Soto*
- 6. Kenneth Lindow*
- 7. Michael Moloney*
- 8. Marretta Mathes*
- 9. Edward Hooper*
- 10. Kimberly Lamberty*
- 11. Adrienne Watkins*
- 12. Monica Valenzuela*
- 13. Von Brothers, LLC (Werner Von Borries)*
- 14. Tucson Managerial Solutions and Services, LLC (Aubree Roach)*

Individuals Addressing the Board: Kimberly Siddall

Discussion: Items # 1, 2, 3, and 4 – Rhonda Stump, Mia Olmos Garcia, Lawrence Castrovinci, and Concepcion Zambrano
Staff recommends the Board grant initial standard certification to applicants: Stump, Garcia, Castrovinci and Zambrano.

Motion: Move to accept staff's recommendation and grant initial standard certification to applicants: Stump, Garcia, Castrovinci and Zambrano.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Items # 8, 11, 13, and 14 – Marretta Mathes, Adrienne Watkins, Von Brothers, LLC (Werner Von Borries), Tucson Managerial Solutions and Services, LLC (Aubree Roach).
The necessary additional documentation has been received from these applicants. Staff recommends that the Board grant initial standard certification to applicants: Mathes, Watkins, Von Brothers, LLC and Tucson Managerial Solutions and Services, LLC.

Motion: Move to accept staff's recommendation and grant initial standard certification to applicants: Mathes, Watkins, Von Brothers, LLC and Tucson Managerial Solutions and Services, LLC.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results Pass

Discussion: Item #6 – Kenneth Lindow
Applicant disclosed being terminated from Genpack USA in June 1994, for a disagreement with management over compensation; terminated from BF Goodrich Aerospace in June 1997, for change in company direction with new production management system; terminated from Hendricks and Partners for change in company direction with the person employed. Also, disclosed four civil actions regarding investment property advice given to clients - three of the cases were dismissed. One case had a judgment which was paid and was dismissed.
Staff recommends the Board grant standard initial certification to applicant Lindow.

Motion: Move to accept staff's recommendation and grant initial standard certification to applicant Lindow.

Motion Proposals: First Paul Friedman

Second Pamela Milburn

Motion Results Pass

Discussion: Item # 9 – Edward Hooper
Applicant has a Juris Doctorate degree and was admitted in Wisconsin and is in good standing.
Staff recommends the Board grant initial standard certification and require Mr. Hooper 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 the use of “JD” designation.

Motion: Move to accept staff’s recommendation and grant initial standard certification to applicant Hooper and require that he 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 the use of “JD” designation.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

Discussion: Items # 5, 7, 10, and 12 – Christian Soto, Michael Moloney, Kimberly Lamberty and Monica Valenzuela.
Staff recommends the Board defer consideration of applicants: Soto, Moloney, Lamberty and Valenzuela until the September 24, 2012 meeting.

Motion: Move to accept staff’s recommendation and defer consideration of applicants: Soto, Moloney, Lamberty and Valenzuela until the September 24, 2012 meeting.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

4-B: Review of Business Entity Exemption Requests for the 2011-2013 initial certification period:

1. Tucson Managerial Solutions and Services, LLC (Aubree Roach)

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommends the Board grant the request for business entity exemption to applicant Tucson Managerial Solutions and Services, LLC (Aubree Roach).

Motion: Move to accept staff's recommendation to grant the request for business entity exemption to applicant Tucson Managerial Solutions and Services, LLC (Aubree Roach).

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Pass

5) CERTIFICATION AND ELIGIBILITY

5-A: Review, discussion and possible action regarding application for reinstatement after suspension submitted by Darren Ortiz and business entity Legal Awareness Arizona, LLC.

Individuals Addressing the Board: Kimberly Siddall

Discussion: Staff recommends the Board deny the reinstatement applications of Darren Ortiz and Legal Awareness Arizona, LLC pursuant to ACJA § 7-201(E)(2)(c)(2)(b)(xii) *has violated any order of a court, judicial officer, administrative tribunal, or the board* and ACJA § 7-201(E)(2)(c)(2)(b)(xv) *failed to disclose information on the certification application subsequently revealed through the background check.*

Motion: Move to accept staff's recommendation to deny the reinstatement applications of Darren Ortiz and Legal Awareness Arizona, LLC.

Motion Proposals: First Paul Friedman
Second Bonnie Matheson

Motion Results: Pass

5-B: Interview with and possible action regarding applicant Julie Haigh.

Individuals Addressing the Board: Kimberly Siddall and Linda Grau

Discussion:

Staff recommends the Board address the disciplinary action, denial of reinstatement, and any other relevant information pertaining to her application.

Staff also recommends given the amount of time since the denial of her reinstatement, this current application and her detailed statement, it is recommended the Board grant standard certification.

Ms. Haigh addressed the Board responding to questions concerning her application, alleged misrepresentation and failure to disclose information.

Linda Grau asked Ms. Haigh to explain if she understood the reasons why she was previously suspended and how the Board can be assured that the high priority matters that resulted in her suspension would not resurface and why the substantive findings that were previously entered by the Board were not addressed in her response to the Board.

Ms. Haigh responded to questions concerning previous complaints and findings entered by the Board.

Paul Friedman expressed his concerns over Ms. Haigh's failure to disclose information to the Board.

Mary Carlton expressed concerns over Ms. Haigh's previous business arrangements and procedures.

Motion:

Move to deny standard certification to applicant Haigh based on material misrepresentation on the application.

Motion Proposals:

First	Paul Friedman
Second	Rebecca Nilsen
Abstained	Pamela Milburn

Motion Results:

Pass

CALL TO THE PUBLIC

Individuals Addressing the Board: Mary Carlton

Discussion: No response.

ADJOURNMENT

Motion: Motion to adjourn.

Motion Proposals: First Paul Friedman
Second Pamela Milburn

Motion Results: Passed

Time: 10:35 A.M.
