

SUPREME COURT OF ARIZONA
DISCIPLINARY CASES MATRIX
(1990)

<u>CASE NAME NUMBER/DATE</u>	<u>VIOLATIONS DESCRIPTION/ DISCIPLINARY RULES</u>	<u>COMMITTEE RECOMMEND.</u>	<u>COMMISSION RECOMMEND.</u>	<u>COURT SANCTION</u>	<u>COMMENTS</u>
<u>1990</u>					
<u>Adornato, Joseph C.</u> 11/14/90 DC No. 84-0952 Effective 12/31/84 (By Order) 165 ARIZ 580 799 P.2d 1354	Felony conviction: mail and wire fraud. Former SCR 29(c) and (d).	N/A	N/A	Disbarment Nunc pro tunc	
<u>Anderson, Thomas W.</u> 04/11/90 DC No. 87-0929 (By Opinion) 163 ARIZ 362 788 P.2d 95	Failed to act with reasonable diligence and promptness; neglected matters entrusted to him; failed to communicate with his client regarding the status of his case; failed to cooperate and respond to the State Bar's inquiries and allegations. ER 1.3 ER 8.1(b) SCR 51(i) ER 1.4 SCR 51(h)	Censure Restitution	Suspension 3 months Restitution	Suspension 3 months Restitution	No priors
<u>Arrick, Kenneth M.</u> 10/09/90 DC Nos. 85-0100 85-1487 (By Order)	Suspension in effect until final disposition of all charges or complaints pending before the State Bar of Arizona because it appears he is engaging in a pattern of severe neglect of his clients' interests. His practice of law has caused substantial harm to the public, the legal profession and the administration of justice.			Interim Suspension	1 prior Suspension

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<p><u>Boose, Michael G.</u> 03/09/90 Effective 01/09/90 DC Nos. 87-1006 87-1080 (By Order) 163 ARIZ 410 788 P.2d 740</p>	<p>Failed to act with reasonable diligence and promptness in representing his clients; failed to keep clients informed and promptly comply with reasonable requests for information; failed to act in accordance with his clients' wishes; failed to cooperate with the State Bar investigation. ER 1.3 ER 8.4 ER 1.4 SCR 51(h) ER 8.1(b) SCR 51(i)</p>	<p>Suspension 8 months</p>	<p>Suspension 8 months</p>	<p>Suspension 8 months</p>	<p>Placed on interim suspension 12/13/88</p>
<p><u>Boose, Michael G., Jr.</u> 06/11/90 DC Nos: 88-0045 88-0049 88-0373 88-0410 88-0502 88-0738 88-0748 88-1249 88-1348 88-1424 88-1458 88-1474 88-1556 88-1657 88-1895 89-0195 89-0234 89-0235 88-0393 (By Order) 164 ARIZ 497 794 P.2d 130</p>	<p>Failed to diligently and competently pursue matter on behalf of client, resulting in dismissal of the client's case; failed to perform services for which he was retained; failed to adequately communicate with clients; failed to return clients' property; failed to refund a client's retainer; failed to keep clients informed; failed to cooperate with the State Bar's investigation. ER 1.1 ER 1.16(d) ER 1.2 ER 8.1(b) ER 1.3 ER 8.4(a) ER 1.4 SCR 51(h) ER 1.5(a) SCR 51(i) ER 1.15(b)</p>	<p>N/A</p>	<p>N/A</p>	<p>Disbarment by consent Restitution</p>	

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<p><u>Brown, Leonard G.</u> 04/05/90 DC Nos. 87-0933 87-1335 (By Order) 163 ARIZ 515 789 P.2d 185</p>	<p>Failed to respond to inquires from his client; failed to advise client of court proceedings; failed to cooperate with State Bars' investigation. ER 1.3 DR 7-101 ER 1.4 SCR 51(h) ER 8.1 SCR 51(i) DR 6-101</p>	<p>N/A</p>	<p>Censure Probation</p>	<p>Censure and probation imposed by Commission; 1 prior Censure 1 prior Informal Reprimand</p>
<p><u>Brown, Steven J.</u> 10/24/90 DC No. 87-0030 (By Order) 165 ARIZ 299 798 P.2d 1308</p>	<p>Failed to fully disclose conflicts of interest to client in entering into real estate transaction with him. ER 1.8</p>	<p>Censure</p>	<p>Censure</p>	<p>Censure imposed by order of Commission</p>
<p><u>Cardenas, Jesus M.</u> 06/22/90 DC No. 87-0851 (By Opinion) 164 ARIZ 149 791 P.2d 1032</p>	<p>Failed to provide diligent, prompt, or competent representation; failed to provide accurate or complete information to a client; failed to consult with client on litigation decisions including settlement offer. ER 1.1 ER 1.3 ER 1.2(a) ER 1.4</p>	<p>Suspension 6 months Restitution of \$25,000</p>	<p>Suspension 6 months & 1 day Restitution of \$20,000</p>	<p>Disbarment Restitution of \$20,000</p> <p>Serious injury to client 1 prior Censure 1 prior Suspension</p>

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<p><u>Cassalia, Robert A., Sr.</u> 04/05/90 DC No. 85-1369 (By Order) 163 ARIZ 515 789 P.2d 185</p>	<p>Neglected to file an opening brief which resulted in the dismissal of an appeal. DR 6-101(A)(3) DR 7-101(A)(1)</p>	<p>Censure & costs by consent</p>	<p>Censure & costs by consent</p>	<p>Censure imposed by order of Commission</p>
<p><u>Castro, Ernesto R.</u> 07/18/90 DC No. 85-0020 (By Opinion) 164 ARIZ 428 793 P.2d 1095</p>	<p>Failed to keep complete financial record; failed to provide appropriate accounting of all funds received from his client; neglect; failed to adequately prepare for a legal matter entrusted to him. DR 9-102(B)(3) DR 6-101(A)(3) DR 6-101(A)(2)</p>	<p>Censure Suspension 30 days</p>	<p>Suspension 30 days Restitution</p>	<p>Censure Restitution</p>
<p><u>Galbasini, Donald C.</u> 02/28/90 DC No. 87-0059 (By Opinion) 163 ARIZ 120 786 P.2d 971</p>	<p>Failed to supervise or control the actions of a credit consulting business that had been operating under his name; failed to communicate with clients; failed to actually know who his clients were. ER 1.4 ER 5.3 SCR 44(b) ER 1.15 ER 7.3(a)</p>	<p>Censure</p>	<p>Suspension 6 months</p>	<p>Suspension 6 months 1 prior Informal Reprimand</p>
<p><u>Galusha, Lee</u> 07/18/90 DC No. 88-0725 (By Opinion) 164 ARIZ 503 794 P.2d 136</p>	<p>Failed to competently represent a client in 2 lien matters; failed to perform client representation with reasonable promptness and diligence resulting in client's loss of legal rights; failed to keep client reasonably informed about status of his case. ER 1.1 ER 1.3 ER 1.4(a)</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p>Disbarment 2 prior Suspensions</p>

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<p><u>Grossman, Irwin I.</u> 09/20/88 (Disbarment Order) 01/18/90 (Costs Order) DC No. 87-0906 (By Order)</p>	<p>Convict of attempted theft, a Class 6 felony. ER 8.4(b)</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p>1 prior Suspension</p>
<p><u>Hamilton, Linda J.T.</u> 12/10/90 DC No. 87-1677 (By Order) 166 ARIZ 273 801 P.2d 1176</p>	<p>Dishonestly solicited an ethics opinion in an effort to disqualify another attorney. ER 8.4(c)</p>	<p>N/A</p>	<p>Censure by agreement</p>		<p>Censure imposed by order of Commission</p>
<p><u>Hohn, Edward L.</u> 08/02/90 DC No. 89-0583 (By Order)</p>	<p>Felony conviction - mail fraud</p>			<p>Interim Suspension</p>	
<p><u>Horwitz, Richard Alan</u> 12/18/90 DC No. 90-2350 (By Order)</p>	<p>Suspension in effect until final disposition of all charges or complaints pending before the State Bar of Arizona because it appears that he is "out of control." His continued practice of law would result in substantial harm, loss and damage to the public, the legal profession and the administration of justice.</p>			<p>Interim Suspension</p>	

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<p><u>Lincoln, Kenneth J.</u> 10/12/90 DC No. 87-1142 (By Opinion) 165 ARIZ 233 798 P.2d 371</p>	<p>Failed to perform services after accepting representation, resulting in client's having to retain another attorney; failed to notify his clients their depositions had been noticed; repeatedly failed to cooperate with State Bar's investigation. ER 1.3 ER 8.1(b) ER 1.4 SCR 51(h) & (i)</p>	<p>Suspension 6 months & 1 day</p>	<p>Suspension 9 months</p>	<p>Suspension 9 months</p>	<p>1 prior Suspension</p>
<p><u>MacAskill, John C.</u> 04/11/90 DC Nos. 87-0483 87-0739 87-1265 87-1290 88-0402 (By Opinion) 163 ARIZ 354 788 P.2d 87</p>	<p>Failed to act with reasonable diligence; failed to adequately communicate with clients; represented clients while suspended from the practice of law; neglected legal matters entrusted to him by clients; failed to cooperate with a State Bar investigation. ER 1.3 ER 8.1(b) ER 1.4(a) ER 8.4(c) ER 1.15 SCR 51(h) ER 5.5 SCR 51(i)</p>	<p>Disbarment</p>	<p>Disbarment Restitution</p>	<p>Disbarment Restitution</p>	
<p><u>Morris, Richard W.</u> 07/18/90 DC No. 88-1871 Effective 02/03/89 (By Opinion) 164 ARIZ 391 793 P.2d 544</p>	<p>Felony conviction of misprision of felony SCR 51(a)</p>	<p>Suspension 1 year</p>	<p>Suspension 6 months, retroactive to 02/03/89</p>	<p>Suspension 6 months, retroactive to 02/03/89</p>	<p>Placed on Interim Suspension on 02/03/89. No priors.</p>

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<p><u>Nefstead, L. Christopher</u> 04/19/90 DC No. 85-2028 (By Opinion) 163 ARIZ 518 789 P.2d 385</p>	<p>Failed to keep client reasonably informed about the status of lawsuit; failed to comply with client's request for information; failed to surrender papers and property to which client was entitled; failed to maintain complete records of all funds of clients received by him. ER 1.3 ER 1.4 ER 1.16(d) SCR 44(b)(3)</p>	<p>Suspension 12 months</p>	<p>Disbarment Restitution</p>	<p>Disbarment</p>	<p>1 prior Censure 3 prior Reprimands</p>
<p><u>Ockrassa, Steven R.</u> 11/28/90 DC No. 86-1452 (By Opinion) 165 ARIZ 576 799 P.2d 1350</p>	<p>Failed to comply with request for withdrawal from representation despite conflict of interest; failed to obtain consent from client he had formerly defended when subsequently prosecuting same client in a related matter. ER 1.9(a)</p>	<p>Informal reprimand</p>	<p>Suspension 90 days</p>	<p>Suspension 90 days</p>	

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<p><u>Rainey, Lola C.</u> 12/04/90 DC No. 89-1203 (By Order) 166 ARIZ 273 801 P.2d 1176</p>	<p>Failed to disclose to the Superior Court that her current request to expand the record on appeal had already been denied by the Court of Appeals; disobeyed a ruling of the Court of Appeals; failed to properly supervise her paralegal; assisted a paralegal to engage in unauthorized practice of law; engaged in conduct prejudicial to the administration of justice. ER 3.3(d) ER 5.5(b) ER 3.4(c) ER 8.4(d) ER 5.3(b)</p>	<p>N/A</p>	<p>Censure by Agreement</p>	<p>Censure imposed by order of Commission. No priors</p>
<p><u>Rantz, Harley P.</u> 04/03/90 DC No. 90-0420 (By Order)</p>	<p>Suspension in effect until final disposition of all charges or complaints pending before the State Bar of Arizona because it appears he is engaging in a pattern of severe neglect of his clients' interests. His practice of law has caused substantial harm to the public, the legal profession and the administration of justice.</p>		<p>Interim Suspension</p>	<p>5 Informal Reprimands 1 prior Censure. Placed on probation. Violated terms of his probation.</p>
<p><u>Raves, Nicholas Lewis</u> 12/13/90 DC No. 88-0419 (By Order) 166 ARIZ 273 801 P.2d 1176</p>	<p>Failed to advise business associate upon discovery that he (respondent) had unwittingly helped to perpetrate fraud against him. ER 8.4(c)</p>	<p>Censure</p>	<p>Censure</p>	<p>Censure imposed by order of Commission. 1 prior Informal Reprimand.</p>

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Redondo, William J.

01/30/90
DC No. 89-1994

(By Order)

Appeared to be engaged in a pattern of severe neglect of interests of his clients and persistent failure to respond to the State Bar.

Probation

2 prior
Informal
Reprimands

Rivkind, Morton

06/22/90
Effective 09/16/86
DC No. 86-1220

(By Opinion)
164 ARIZ 154
791 P.2d 1037

Felony conviction - attempted possession of cocaine.
ER 8.4(b)

Readmission
(from Interim
Suspension -
09/19/86)
Probation

Suspension
3 years
Retroactive
to 11/06/86

Suspension
2 years
Retroactive
to 09/19/86
Probation

Interim
Suspension

Roberts, Neal Taylor

12/21/90
DC Nos.:
87-0779 87-0829
87-0842 89-0509

(By Order)
167 ARIZ 29
804 P.2D 758

Failed to provide competent representation by failing to to inform clients of court dates, failing to obtain an order of protection and failing to appear at a hearing; failed to keep client informed of status of dissolution proceedings; failed to perform necessary legal services for a client charged with a misdemeanor; failed to act with reasonable diligence and promptness; engaged in conduct prejudicial to the administration of justice.

ER 1.1 ER 1.4
ER 1.3 ER 8.4(d)

Censure

Censure
Probation

Censure and
probation imposed
by order of
Commission.
Evidence of
substance abuse
during period
of misconduct.

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<p><u>Smith, Russell B., III</u> 08/01/90 DC No. 85-1386 (By Opinion) 164 ARIZ 526 794 P.2d 601</p>	<p>Allowed letters containing false information to influence public investors and investment counselors; misrepresented material facts concerning corporate principals and promoters; withheld information from a potential buyer of his client's business regarding judgments entered against him (respondent) and the principals of the business; felony conviction - aiding and abetting a mail fraud and the sale of an unlicensed security. DR 1-102(A)(4) DR 7-102(A) DR 1-102(A)(6) DR 7-102(B) DR 6-101(A)(2)</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p>Disbarment</p>	<p>Interim Suspension</p>
<p><u>Storts, Brick P., III</u> 05/15/90 DC Nos. 87-0429 87-1102 (By Order) 164 ARIZ 165 791 P.2d 1048</p>	<p>Felony convictions - theft, conversion of funds. DR 9-102 DR 1-101(A)(3) DR 1-101(A)(4)</p>	<p>N/A</p>	<p>N/A</p>	<p>Disbarment (by consent)</p>	<p>Disbarment by Consent On Interim Suspension</p>
<p><u>Strojnik, Peter</u> 04/05/90 DC No. 86-0658 (By Order) 163 ARIZ 516 789 P.2d 186</p>	<p>Continued to represent clients in action against former client despite his firm's previous withdrawal and the conflict of interest between the clients' and the former client's interests. ER 1.9(a)</p>	<p>Censure</p>	<p>Censure</p>		<p>Censure imposed by order of Commission; No priors; No injury to former client.</p>

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Tarletz, Ruthanne

05/11/90
DC Nos. 85-0443
85-1010
85-1902
85-0129
86-1290
86-1473

Failed to properly and competently represent her clients; failed to represent clients zealously; failed to keep clients properly informed; failed to represent client within the bounds of the law.
DR 6-101 DR 7-102 ER 3.3
DR 6-102 ER 1.3 ER 3.4
DR 7-101 ER 1.4 ER 8.4

Suspension
2 years
Disbarment

Suspension
2 years
Disbarment

Suspension
2 years
Disbarment

1 prior
Informal
Reprimand

(By Opinion)
163 ARIZ 548
789 P.2d 1049

Tarletz, Ruthanne

10/12/90
DC No. 87-0948

(By Opinion)
165 ARIZ 243
798 P.2d 381

Practiced law while license was suspended; showed disrespect by ridiculing the legal system, which was prejudicial to the administration of justice; failed to cooperate with the State Bar's investigation.
ER 5.5(a) ER 8.4(d)
ER 8.1(b) SCR 31(a)(3)
ER 8.4(a) SCR 51(e)
ER 8.4(c)

Disbarment

Disbarment

Disbarment

Currently
Disbarred and
on Suspension;
1 prior Informal
Reprimand

DISCIPLINARY CASES MATRIX
(1990)

Young, Edwin P., II

05/11/90

DC Nos.:

88-0441 88-0407

86-1243 87-1258

87-1636 88-0034

88-1128 88-0981

(By Order)

164 ARIZ 502

794 P.2d 135

Failed to obey court order;
failed to provide competent
legal representation; neglected
matters entrusted to him by
clients; filed pleadings un-
supported by law or facts; failed
to inform client of court
actions; appropriated client
funds for personal use without
authorization; failed to main-
tain adequate records of
clients' funds in his posses-
sion.

Disbarment
by consent
Restitution

DR 1-102(A)(1)	DR 7-101(A)(3)	ER 1.7
DR 1-102(A)(4)	DR 7-102(A)(2)	ER 1.8
DR 1-102(A)(5)	DR 7-102(A)(3-8)	ER 1.9
DR 1-102(A)(6)	DR 7-106(A)	ER 1.15
DR 5-101	DR 9-102(A)(2)	ER 1.16(d)
DR 5-105(A)	DR 9-102(B)(3)	ER 3.4(b)
DR 5-105(B)	DR 9-102(B)(4)	ER 4.1(b)
DR 5-105(C)	ER 1.1	ER 4.3
DR 6-101(A)(2)	ER 1.2	ER 8.1(b)
DR 6-101(A)(3)	ER 1.3	ER 8.4
DR 7-101(A)(1)	ER 1.4	SCR 51(h)
DR 7-101(A)(2)	ER 1.5	SCR 51(i)