

Professional Discipline Digest

VOLUME 33 NUMBER 3 | By JONATHAN E. FRIEDLER

Suspension ordered as reciprocal discipline where New York Grievance Committee concluded that Respondent engaged in conduct involving dishonesty, fraud, deceit or misrepresentation (New York Rule 8.4(c)); failed to inform his clients of material developments (New York Rule 1.4(a)(1)(iii)); failed to keep clients reasonably informed (New York Rule 1.4(a)(3)); failed to reasonably consult with clients (New York Rule 1.4(a)(2)); failed to promptly comply with clients' request for information (New York Rule 1.4(a)(4)); failed to comply with contingency fee agreement writing and filing requirements (New York Rule 1.5(c)); § 691.20(a)(1) of the Rules of the Appellate Division, Second Department; and failed to cooperate with investigation of the Grievance Committee (New York Rule 8.4(d) and (h)). New York's Grievance Committee issued a one-year suspension from the practice of law. Pursuant to Practice Book § 2-39, reciprocal discipline was imposed against Respondent, suspending him from the practice of law for one year in Connecticut. Ordered that Respondent is ineligible to apply for reinstatement unless and until such time as he is eligible for reinstatement in New York and must apply for reinstatement in Connecticut pursuant to Practice Book § 2-53. *Office of Chief Disciplinary Counsel v. Thomas Francis Vasti, III*, Docket No. HHD-CV23-6175485S.

Reprimand issued by agreement for violation of Rules 1.1, 1.3, 1.4, 1.5, 1.15 and 8.4. *Office of Chief Disciplinary Counsel v. Andre Cayo*, Docket No. FBT-CV23-6124122S.

Disbarment ordered where Respondent, who was previously suspended and ordered to pay restitution to two clients and provide trustee with files, client information and IOLTA ac-

count information, failed and knowingly and willfully refused to comply with the court's prior disciplinary orders. *Office of Chief Disciplinary Counsel v. Leonard McDermott*, Docket No. UWY-CV23-6070729S.

Suspension ordered where Respondent failed to complete IOLTA records in violation of Rule 1.15 (b) and (j) and failed to respond to demand by Statewide Grievance Committee ("SGC") to explain IOLTA Overdraft and failed to respond to SGC's successive demands for information, including failure to comply with an order by the Reviewing Committee that Respondent submit to an audit of his IOLTA account. The court rejected the proposed stipulated order for reprimand based on Respondent's extensive disciplinary history and issued a one-year suspension and appointed a trustee to protect the interests of Respondent's clients and fiduciary accounts pursuant to Practice Book § 2-64. Respondent must apply for reinstatement in Connecticut pursuant to Practice Book § 2-53. *Office of Chief Disciplinary Counsel v. Richard Silverstein*, Docket No. NHH-CV23-6134443S.

Suspension ordered on Office of Chief Disciplinary Counsel's motion for contempt where Respondent failed to comply with the court's previously imposed orders, including failure to pay restitution in various disciplinary matters, failure to return collateral to client and failing to appear at hearing on motion for contempt. Respondent was suspended from the practice of law in Connecticut for one-year, said suspension to run consecutive to previous three-year suspension and was ordered to reimburse the Client Security Fund for any claims paid to Respondent's clients. *Office of Chief Disciplinary Counsel v. Corey A. Heiks*, Docket No. NHH-CV20-6102022S.

Prepared by CBA Professional Discipline Committee members from public information records, this digest summarizes decisions by the Statewide Grievance Committee resulting in disciplinary action taken against an attorney as a result of violations of the Rules of Professional Conduct. The reported cases cite the specific rule violations to heighten the awareness of lawyers' acts or omissions that lead to disciplinary action.

Presentments to the superior court are de novo proceedings, which may result in dismissal of the presentment by the court or the imposition of discipline, including reprimand, suspension for a period of time, disbarment, or such other discipline the court deems appropriate.

A complete reprint of each decision may be obtained by visiting jud.ct.gov/sgc-decisions. Questions may be directed to editor-in-chief, Attorney John Q. Gale, at jgale@jgglaw.com.

Suspension ordered on Office of Chief Disciplinary Counsel's Motion for Reciprocal Discipline, where Maine Supreme Judicial Court concluded that Respondent, violated Rules 8.4(c), 5(a) and 5(f) (1) of the Maine Rules of Professional Conduct by submitting proof that he had taken two live webcasts that were broadcast simultaneously in connection with his application for reinstatement from a prior suspension. The Court ordered a one-year suspension, commensurate with the discipline imposed against Respondent in Maine, and ordered that Respondent must apply for reinstatement in Connecticut pursuant to Practice Book § 2-53. *Office of Chief Disciplinary Counsel v. Jason Buckley*, Docket No. HHD-CV23-6176527S.

Reprimand issued by agreement for violation of Rule 5.5. *Karp v. Gerald E. Linden*, #21-0257.

Reprimand issued where Reviewing Committee found by clear and convincing evidence that Respondent engaged in violation of Rule 8.1(2) and Connecticut Practice Book § 2-32(a)(1) for failing to respond to the grievance complaint. The reviewing committee also determined that Respondent's failure to communicate with Complainant, failure to keep her informed as to the status of her matter and failed to work timely to close estate constituted conduct prejudicial to the administration of justice in violation of Rule 8.4(4). In addition to reprimand, Respondent was required to take six credit hours of continuing legal education in legal ethics within nine months. *Vardon v. Michael Cruz*, #21-0456.

Respondent ordered to adhere to directives of Statewide Grievance Committee's random audit report card and submit quarterly reports where reviewing committee found by clear and convincing evidence that Respondent engaged in violation of Rule 1.15(j). Additionally, Respondent was required to take two credit hours of continuing legal education in IOLTA Account Management within nine months. *Stamford-Norwalk Judicial District Grievance Panel v. Danielle DiBerardini-Albrecht*, #22-0022.

Reprimand issued by agreement for violation of Rules 1.15(b), 8.1(2) and Connecticut Practice Book § 2-27(a). *Kokorus v. James J. Schultz*, #22-0577.

Reprimand issued by agreement for violation of Rules 1.15(e), 1.15(f), 8.4(2), 8.4(3), 8.4(4) and 8.1(2). *Mayo v. James J. Schultz*, #22-0580. ■

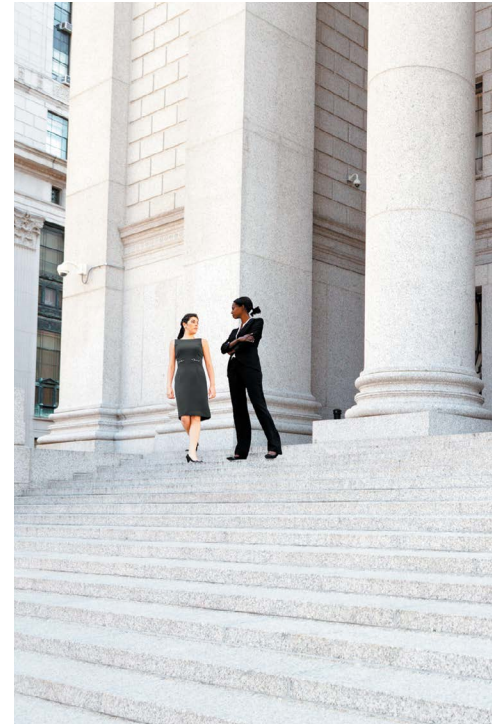


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