

**REINSTATEMENT**

**WALTER E. MOAK**

Bar No. 004849; File No. 04-6002

Supreme Court No. SB-06-0006-D

By Arizona Supreme Court order dated March 14, 2006, Walter E. Moak, 1930 S. Alma School Rd., Suite B-104, Mesa, AZ 85210-3040, was reinstated as a member of the State Bar of Arizona and placed on probation for two years. The terms of probation include participating in the State Bar's Member Assistance Program and Law Office Management Assistance Program. Mr. Moak will pay all costs to comply with the terms of probation.

**INTERIM SUSPENSION**

**MATTHEW C. BOWER**

Bar No. 020385

Supreme Court No. SB-06-0012-D

By Arizona Supreme Court order dated March 14, 2006, Matthew C. Bower, 4727 E. Bell Rd., Suite 45, PMB 206, Phoenix, AZ 85032, a member of the State Bar, was placed on interim suspension pursuant to Rules 61 and 53(h)(2)(B), ARIZ.R.S.Ct.

**LARRY J. DAHL**

Bar No. 004542

Supreme Court No. SB-05-0170-D

By Arizona Supreme Court order dated December 27, 2005, Larry J. Dahl, 2999 N. 44th St., Suite 600, Phoenix, AZ 85018-7248, a member of the State Bar, was placed on interim suspension until final disposition of all pending proceedings against him. Mr. Dahl also was prohibited from distributing funds from any trust account to any one except upon the written approval of the bar counsel or the court.

**MICHAEL NEUMANN**

Bar No. 018859

Supreme Court No. SB-06-0024-D

By Arizona Supreme Court order dated April 14, 2006, Michael Neumann, 9121 E. Tanque Verde Rd., #105, PMB 291, Tucson, AZ 85749, a member of the State Bar, was placed on interim suspension pursuant to Rule 61, ARIZ.R.S.Ct.

**SANCTIONED ATTORNEYS**

**STEPHEN K. ALIKES**

Bar No. 001749; File Nos. 04-0130, 04-0186,  
04-0199

Supreme Court No. SB-05-0174-D

By Arizona Supreme Court judgment and order dated March 14, 2006, Stephen K.

Alikes, 32698 N. 68th Pl., Scottsdale, AZ 85262-7117, a member of the State Bar, was suspended for three years and ordered to pay the costs and expenses of the disciplinary proceedings. Reinstatement will be conditioned upon Mr. Alikes making restitution to any former clients not provided restitution by his former business associates.

The conduct in this three-count complaint involves the prosecution of personal bankruptcy cases. Mr. Alikes entered into a business arrangement with a disbarred lawyer and the lawyer's son. The Bankruptcy Court had enjoined the father and son from preparing any bankruptcy documents until they obtained the necessary document preparation certification. The father and son would meet with clients, retain them, collect the fees, prepare and file documents, and maintain the client files. Mr. Alikes was paid a flat fee per case for signing the documents and appearing at the creditor's meeting. Mr. Alikes failed to properly supervise the father and son and failed to take remedial action with respect to the misconduct. He assisted the father and son in engaging in the unauthorized practice of law. Mr. Alikes allowed documents with false statements to be submitted to the Bankruptcy Court. The father and son were later permanently enjoined by the Bankruptcy Court, criminally prosecuted and convicted of felonies.

Five aggravating factors were found: dishonest or selfish motive, a pattern of misconduct, multiple offenses, vulnerability of victim, and substantial experience in the practice of law. Three mitigating factors were found: absence of a prior disciplinary record, personal and emotional problems and physical disability.

Mr. Alikes violated Rule 42, ARIZ.R.S.C.T., ERs 1.3, 1.5, 3.1, 3.3, 5.3, 5.5, and 8.4(c) and (d).

#### **PAUL S. BANALES**

Bar No. 004313; File Nos. 03-1957

Supreme Court No. SB-05-0158-D

By Arizona Supreme Court judgment and order dated February 7, 2006, Paul S. Banales, 110 S. Church Ave., Suite 6426, Tucson, AZ 85701-7605, a member of the State Bar, was suspended for six months and ordered to pay the costs and expenses of the disciplinary proceedings together with interest at the legal rate.

In a criminal defense matter, Mr. Banales knowingly obstructed the state's access to evidence having potential evidentiary value in an ongoing criminal investigation. In addition, Mr. Banales was not candid with the court when he failed to advise the court that the evidence had been destroyed.

Three aggravating factors were found: dishonest or selfish motive, refusal to acknowledge the wrongful nature of conduct and substantial experience in the practice of law. One

mitigating factor was found: absence of a prior disciplinary record.

Mr. Banales violated Rule 42, ARIZ.R.S.C.T., ERs 3.4(a) and 8.4(d).

**NANCY ELIZABETH DEAN**

Bar No. 011198; File No. 02-2290

Supreme Court No. SB-05-0135-D

By Arizona Supreme Court judgment and order dated March 16, 2006, Nancy Elizabeth Dean, P.O. Box 3795, Phoenix, AZ 85030, a member of the State Bar, was suspended for six months, retroactive to September 27, 2004, and ordered to pay the costs and expenses of the disciplinary proceedings. Upon reinstatement, Ms. Dean will be placed on probation for two years and required to participate in the State Bar's Member Assistance Program.

While serving as a prosecutor in the Apache County Attorney's Office, Ms. Dean began a romantic relationship with Michael C. Nelson, who was then an Apache County Superior Court judge. The two kept their relationship secret and, from the time the affair began until Ms. Dean resigned from the county attorney's office, she appeared before Judge Nelson 485 times, thereby creating a conflict of interest. In December 2001, in response to a State Bar inquiry, Dean categorically denied she had ever been involved in an "intimate" or "improper" relationship with the judge. Based on this denial, the State Bar dropped its inquiry. In April 2002, Dean again denied having an intimate or improper relationship with the judge and requested that the State Bar's file be sealed. In early 2003, however, after receiving information from Dean's former spouse, the State Bar reopened its investigation and filed a disciplinary complaint.

Four aggravating factors were found: a pattern of misconduct, multiple offenses, bad-faith obstruction of the disciplinary proceedings by intentionally failing to comply with rules or orders of the disciplinary agency and substantial experience in the practice of law. Four mitigating factors were found: absence of a prior disciplinary record, absence of a dishonest or selfish motive, personal or emotional problems, remorse and public and personal humiliation.

Ms. Dean violated Rule 42, ARIZ.R.S.C.T., ERs 1.7(b), 1.16(a)(1), 8.1(a) and (b), and 8.4(c), (d) and (f).

**ALLEN W. DUPREY**

Bar No. 006122; File No. 04-1486, 05-0161

Supreme Court No. SB-06-0014-D

By Arizona Supreme Court judgment and order dated February 16, 2006, Allen W. Duprey, 325 W. Franklin St., Suite 101, Tucson, AZ 85701, a suspended member of the State Bar, was disbarred by consent retroactive to

November 29, 2005, the date of Mr. Duprey's interim suspension in SB-05-0143-D.

At the time of the consent to disbarment, there was a pending disciplinary complaint against Mr. Duprey alleging misconduct in two separate counts including allegations of failing to timely file an interpleader or disburse settlement funds, failing to safeguard client funds and converting client or third-party funds held in trust.

**JAMES J. EVERETT**

Bar No. 011205; File No. 02-1133

Supreme Court No. SB-05-0166-D

By Arizona Supreme Court amended judgment and order dated February 13, 2006, James J. Everett, 11811 N. Tatum Blvd., Suite 4010, Phoenix, AZ 85028, a member of the State Bar, was suspended for 30 days and placed on probation for one year and assessed the costs and expenses of the disciplinary proceedings together with interest at the legal rate. As a requirement of his probation Mr. Everett must complete nine hours of continuing legal education in the area of ethics.

Mr. Everett used a false address for a client to stay within the Phoenix division of the Bankruptcy Court to avoid having the case transferred to the Tucson division of the Bankruptcy Court.

Two aggravating factors were found: prior disciplinary offenses and substantial experience in the practice of law.

Two mitigating factors were found: absence of a dishonest or selfish motive and full and free disclosure to disciplinary board or cooperative attitude toward proceedings.

Mr. Everett violated Rule 42, ARIZ.R.S.CT., ERs 3.3(a)1, 4.1(a), 8.4(c), and 8.4(d).

**BRIAN E. FINANDER**

Bar No. 007739; File Nos. 04-0507, 04-0732

Supreme Court No. SB-05-0157-D

By Arizona Supreme Court amended judgment and order dated February 13, 2006, Brian E. Finander, 3131 E. Camelback Rd., Suite 200, Phoenix, AZ 85016-4599, a member of the State Bar, was censured and placed on probation for two years and assessed the costs and expenses of the disciplinary proceedings together with interest at the legal rate. As a requirement of his probation Mr. Finander must participate in the State Bar's Member Assistance Program, Law Office Management Assistance Program and Ethics Enhancement Program.

In a civil lawsuit, Mr. Finander knowingly misled the court when he stated that he mailed a copy of a motion to opposing counsel on the same day as it was filed. In fact, he mailed the copy eight days later. Mr. Finander, when questioned by the court, did not immediately admit

to the court that the postmarked envelope in which the copy was mailed was from him. In the same lawsuit, Mr. Finander filed a special action in the Court of Appeals without a good-faith basis in law or fact for doing so and included frivolous argument as the basis of the special action.

Four aggravating factors were found: multiple offenses, bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with the rules or orders of the disciplinary agency, refusal to acknowledge wrongful nature of conduct and substantial experience in the practice of law. One mitigating factor was found: absence of prior disciplinary record.

Mr. Finander violated Rule 42, ARIZ.R.S.C.T., ERs 3.1, 3.3, 4.1, 4.4 and 8.4(c) and (d).

**HOLLY R. GIESZL**

Bar No. 013845; File No. 03-1278  
Supreme Court No. SB-06-0013-D

By Arizona Supreme Court judgment and order dated April 20, 2006, Holly R. Gieszl, 2375 E. Camelback Rd., Suite 500, Phoenix, AZ 85016, a member of the State Bar, was suspended for one year, effective May 22, 2006; placed on probation for two years upon reinstatement with required participation in the State Bar's Member Assistance Program; and ordered to pay the costs and expenses of the disciplinary proceedings.

In a personal-injury matter, Ms. Gieszl allowed the statute of limitations to run on the claim. Ms. Gieszl knowingly engaged in a series of dishonest actions, including repeatedly misrepresenting the status of the matter to the client, then misrepresenting to the client that the matter was successfully settled, and prepared fraudulent settlement documents to support the deception.

Two aggravating factors were found: substantial experience in

the practice of law and dishonest or selfish motive.

Six mitigating factors were found: absence of a prior disciplinary record, personal or emotional problems, timely good-faith effort to make restitution or to rectify consequences of misconduct, full and free disclosure to disciplinary board or cooperative attitude toward proceedings, character or reputation and mental disability.

Ms. Gieszl violated Rule 42, ARIZ.R.S.C.T., ERs 1.3, 1.4(a), 1.7(b) and 8.4(c).

**DALE R. Gwilliam**

Bar No. 004979; File Nos. 04-2072

Supreme Court No. SB-06-0025-D

By Arizona Supreme Court judgment and order dated February 27, 2006, Dale R. Gwilliam, 459 N. Gilbert Rd., Suite C-100, Gilbert, AZ 85234, a member of the State Bar, was censured and ordered to pay the costs and expenses of the disciplinary proceedings in the

amount of \$791.67 together with interest at the legal rate.

In an attempt to pay discipline costs in another case, Mr. Gwilliam fabricated a letter from the State Bar listing his disciplinary costs as "per capita assessment" of active bar members for the State Bar's new building. Mr. Gwilliam fabricated the letter to avoid the embarrassment of having to explain his prior sanction when obtaining a check from his finance director. Shortly thereafter, Mr. Gwilliam changed his mind and attempted to retrieve the false letter. By that time, however, the letter had already been mailed to the State Bar with a check.

Two aggravating factors were found: prior disciplinary offenses and dishonest or selfish motive. Three mitigating factors were found: timely good-faith effort to make restitution or to rectify consequences of misconduct, full and free disclosure to disciplinary board or cooperative attitude toward pro-

ceedings and remorse.

Mr. Gwilliam violated Rule 42, ARIZ.R.S.Ct., ERs 8.4(c) and (d).

**STEWART P. HOOVER**

Bar No. 015807; File Nos. 03-1249, 04-1177, 04-1479, 04-1615, 04-1922, 04-1933

Supreme Court No. SB-05-0145-D

By Arizona Supreme Court judgment and order dated November 29, 2005, Stewart P. Hoover, 6607 N. Scottsdale Rd., Suite H-102, Scottsdale, AZ 85250-4421, a suspended member of the State Bar, was disbarred and placed on probation for two years upon reinstatement. Mr. Hoover also was ordered to pay \$8,050 in restitution and assessed the costs and expenses of the disciplinary proceedings together with interest at the legal rate.

In all six counts of this case, Mr. Hoover failed to respond during the State Bar's investigation or during the formal proceedings against him. In a bad-faith insurance matter, Mr. Hoover failed to put the contingency fee agreement in to writing and failed to provide his clients with an account of the settlement funds expended in the case. For this misconduct Mr. Hoover was initially ordered to diversion. While on diversion he failed to provide quarterly reports and comply with other requirements of the diversion order.

In two separate cases, Mr. Hoover agreed to represent clients in civil matters. Shortly after being hired, he failed to return client calls, abandoned their cases, and refused to return client files. In another civil case, after Mr. Hoover was paid \$4,000 to commence a lawsuit, he failed to appear for oral argument, failed to comply with discovery rules and abandoned the case. In counts two and four, the State Bar received insufficient funds notices concerning Mr. Hoover's client trust accounts after three checks drawn on his trust accounts bounced. Mr. Hoover's conduct was found to have been knowing in all six counts.

Six aggravating factors were found: prior disciplinary offenses, dishonest or selfish motive, a pattern of misconduct, multiple offenses, bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency, and substantial experience in the practice of law and indifference to making restitution. No mitigating factors were found.

Mr. Hoover violated Rule 42, ARIZ.R.S.Ct., ERs 1.2, 1.3, 1.4, 1.5(c), 1.15, 1.16, 3.2, 8.1(b) and 8.4(c) and (d), and Rules 43, 44, and 53(d), (e) and (f) ARIZ.R.S.Ct.

**MARK L. JOHNSON**

Bar No. 019505; File Nos. 03-0043, 03-1282, 04-0339, 04-0995, 04-2149

Supreme Court No. SB-05-0165-D

By Arizona Supreme Court judgment and

order dated February 7, 2006, Mark L. Johnson, 2615 N. Fourth St., Flagstaff, AZ 86004-1812, an inactive member of the State Bar, was suspended for six months and one day, ordered to pay restitution of \$250 and the costs and expenses of the disciplinary proceedings in the amount of \$2,441 with interest at the legal rate. Mr. Johnson also will be placed on probation, the length and terms of which will be determined at the time of reinstatement.

In this five-count case, the first and third cases involved Mr. Johnson disbursing funds from his client trust account when the offsetting funds were not on deposit, which resulted in a shortage in the account. In the course of the State Bar's investigation it was determined that Mr. Johnson failed to maintain complete client trust account records, failed to keep his funds separate from those of his clients on deposit, failed to only disburse funds with pre-numbered checks and failed to conduct monthly reconciliations of the client trust account. During the investigation Mr. Johnson repeatedly failed to respond to the State Bar's records examiner.

In the second case, Mr. Johnson was hired to complete garnishment proceedings in two cases and to prepare a complaint in a third case. Thereafter, he failed to reasonably communicate with the client, failed to complete the work he had agreed to complete, and failed to respond to the client's requests for an accounting, records or a refund of attorney's fees.

The fourth case involved eight former clients that Mr. Johnson represented while employed at a firm. After he left the firm and became a solo practitioner, Mr. Johnson attempted to change statutory agent information for two separate LLCs, signing on behalf of the clients without their knowledge or consent and billing them for the work. Mr. Johnson also deposited client checks made payable to his former firm into his new client trust account. He failed to complete work for which he was hired, failed to reasonably communicate with clients and, in a probate matter, failed to timely disburse an estate distribution to a beneficiary for two years.

In the fifth case, Mr. Johnson personally notarized witness signatures on trust documents. His notary commission was invalid, having expired over a year before. Mr. Johnson then changed the date of expiration on the notary stamp to 2007 from 2003.

Four aggravating factors were found: prior disciplinary offenses, a pattern of misconduct, multiple offenses and bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency. One mitigating factor was found: personal and emotional problems.

Mr. Johnson violated Rule 42,

ARIZ.R.S.CT., ERs 1.2, 1.3, 1.4, 1.5, 1.15, 1.16(d), 3.2, 8.1(b) and 8.4(d), and Rules 43(a) and (d), 44(a) and 53(d) and (f), ARIZ.R.S.CT.

**DOROTHEA P. KRAEGER**

Bar No. 015475; File Nos. 03-0342, 03-0603, 03-0654, 03-0655, 03-0947, 03-1326, 03-1384, 03-1434, 03-1469, 03-1700, 03-1816, 04-0016, 04-0823, 04-0994, 04-1097, 04-1179, 04-1190, 04-1316

Supreme Court No. SB-05-0176-D

By Arizona Supreme Court judgment and order dated March 14, 2006, Dorothea P. Kraeger, 5133 N. Central Ave., Suite 225, Phoenix, AZ 85012, a suspended member of the State Bar, was suspended for four years, retroactive to March 23, 2005. Ms. Kraeger will be placed on probation for two years upon reinstatement and required to participate in the State Bar's Law Office Management Assistance Program. She was ordered to participate in fee arbitration with clients in 11 matters. Ms. Kraeger was assessed the costs and expenses of the disciplinary proceedings in the amount of \$3,569.75 together with interest at the legal rate.

In all 18 counts of the complaint Ms. Kraeger represented clients in immigration matters. She failed to return phone calls, failed to keep appointments and failed to explain, advise and inform clients regarding the status of their cases. In some matters, she failed to timely file petitions, applications and motions, and missed filing deadlines.

Three aggravating factors were found: a pattern of misconduct, multiple offenses and substantial experience in the practice of law.

Six mitigating factors were found: absence of a prior disciplinary history, personal or emotional problems, timely good-faith effort to make restitution or to rectify consequences of misconduct, full and free disclosure to disciplinary board or cooperative attitude toward proceedings, character or reputation and remorse.

Ms. Kraeger violated Rule 42, ARIZ.R.S.CT., ERs 1.2, 1.3, 1.4, 3.2 and 8.4(c) and (d).

**KATHLEEN D. MASTERS**

Bar No. 005003; File Nos. 04-0293, 04-0381, 04-0385, 04-0424, 04-0540, 04-0550, 04-0640, 04-0641, 04-0647, 04-0748

Supreme Court No. SB-05-0163-D

By Arizona Supreme Court judgment and order dated February 7, 2006, Kathleen D. Masters, 1520 White Span Rd., Prescott, AZ 86303, an inactive member of the State Bar, was suspended for six months and one day and ordered to pay the costs and expenses of the disciplinary proceedings. Upon reinstatement, Ms. Masters will be placed on probation for two years. The terms of the probation will be determined at the time of reinstatement.



The conduct in this 10-count complaint involved the prosecution of Telephone Consumer Protection Act claims against the senders of unsolicited fax advertisements. Ms. Master's legal assistant, a suspended Arizona attorney, was the coordinator of the litigations. Ms. Masters failed to properly supervise the suspended attorney and failed to take remedial action with respect to his misconduct. She assisted the suspended attorney in engaging in the unauthorized practice of law by allowing him to file and maintain frivolous lawsuits and by allowing him to serve irrelevant and unduly burdensome discovery requests. Ms. Masters failed to supervise other non-attorney employees under the suspended attorney's supervision. Ms. Masters also filed pleadings in lawsuits attesting to personal knowledge of facts, when in fact she had no personal knowledge.

Four aggravating factors were found: a pattern of misconduct, multiple offenses, large number of potential victims, and substantial experience in the practice of law. One mitigating factor was found: personal and emotional problems.

Ms. Masters violated Rule 42, ARIZ.R.S.C.T., ERs 3.1, 3.3(a), 3.4(c) 4.4, 5.3(a), (b) and (c), 5.5, and 8.4(a), (c) and (d).

**BARRY G. NELSON**

Bar No. 006746; File No. 04-1761  
 Supreme Court No. SB-06-0032-D  
 By Arizona Supreme Court judgment and order dated March 20, 2006, Barry G. Nelson, 1383 E. Stony Canyon Circle, Tucson, AZ

85737, a suspended member of the State Bar, was censured, ordered to pay restitution of \$250 and ordered to pay the costs and expenses of the disciplinary proceedings of \$746.50 together with interest at the legal rate.

Mr. Nelson, without authorization or lawful entitlement, used his legal assistant's expired notary seal to acknowledge the signatures on a prenuptial agreement. Mr. Nelson knowingly signed his legal assistant's name to the prenuptial agreement and used her notary stamp to acknowledge the documents.

One aggravating factor was found: substantial experience in the practice of law. Three mitigating factors were found: absence of a prior disciplinary record, absence of a dishonest or selfish motive and full and free disclosure to disciplinary board or cooperative attitude toward proceedings.

Mr. Nelson violated Rule 42, ARIZ.R.S.C.T., ER 8.4(c).

**JOHN J. REINER**

Bar No. 005328; File No. 05-4000  
 Supreme Court No. SB-05-0164-RD  
 By Arizona Supreme Court judgment and order dated February 7, 2006, John J. Reiner, 2015 Hillsboro Ave., Los Angeles, CA 90034-1118, a suspended member of the State Bar of Arizona, was disbarred and assessed the costs and expenses of the disciplinary proceeding. This reciprocal discipline was imposed based on a March 24, 2005, California Supreme Court order disbarring Mr. Reiner in California.

**JOHN DANIEL ROLPH**

Bar No. 021302; File Nos. 04-0039, 04-1193  
 Supreme Court No. SB-06-0011-D  
 By Arizona Supreme Court judgment and order dated March 14, 2006, John Daniel Rolph, 7025 E. McDowell Rd., Suite 10, Scottsdale, AZ 85257, a member of the State Bar, was suspended for 90 days and placed on probation for two years, with requirements that he participate in the State Bar's Member Assistance Program and Law Office Management Assistance Program with a practice monitor. Mr. Rolph also was assessed the costs and expenses of the disciplinary proceedings in the amount of \$1,013.62 together with interest at the legal rate.

After being conditionally admitted to the State Bar and placed on probation as a term of his admittance, Mr. Rolph failed to comply with the requirements of the probation. He also failed to cooperate with the State Bar's investigation in two disciplinary matters and failed to appear at a deposition for which a subpoena had been issued compelling his attendance.

In two family law matters, Mr. Rolph failed to return clients' phone calls, failed to adequately consult with clients regarding the objectives of their cases, and failed to diligently pursue client matters.

Four aggravating factors were found: prior disciplinary offenses, a pattern of misconduct, multiple offenses and bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency.

Three mitigating factors were found: absence of a dishonest or selfish motive, inexperience in the practice of law, and remorse.

Mr. Rolph violated Rule 42, ARIZ.R.S.C.T., ERs 1.3, 1.4, 3.4(c), 8.1(b) and 8.4(d), and Rule 53(f), ARIZ.R.S.C.T.

**DAVID SON**

Bar No. 019312; File Nos. 04-1345, 04-1389, 04-1837, 04-1927, 04-1956, 04-1997, 04-2052  
 Supreme Court No. SB-05-0173-D  
 By Arizona Supreme Court judgment and order dated

February 7, 2006, David Son, 7325 N. 16th St., Suite 150, Phoenix, AZ 85020-8206, a suspended member of the State Bar, was disbarred, ordered to pay restitution of \$3,200 and assessed the costs and expenses of the disciplinary proceedings.

In the first case of this seven-count complaint, Mr. Son disbursed funds from his client trust account when the offsetting funds were not on deposit, which resulted in a shortage in the account and the bank sending the State Bar an insufficient funds notice. Mr. Son either deposited his own funds into his trust account to cover the checks disbursed from it or deposited client funds into his own account prior to depositing them into the trust account. In the course of the State Bar's investigation it was determined that Mr. Son had abandoned his practice. By order of the Maricopa County Superior Court, the State Bar's chief bar counsel was appointed conservator over Mr. Son's client files and trust account.

In the second case, shortly after agreeing to take a client's medical-malpractice matter, Mr. Son abandoned the case. In the third, fourth and sixth cases, he took money from clients and then failed to perform any work.

In the fifth case, Mr. Son failed to commence negotiating the settlement of a client's personal injury matter. After the client filed a complaint with the State Bar he made one contact with the client and then abandoned the case. In the seventh case, Mr. Son took money from a client and, while he filed the bankruptcy petition, never corrected deficiencies in the petition and failed to attend a meeting with the bankruptcy trustee, resulting in the case being dismissed.

Three aggravating factors were found: a pattern of misconduct, multiple offenses and bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency. One mitigating factor was found: absence of a prior disciplinary record.

Mr. Son violated Rule 42, ARIZ.R.S.C.T., ERs 1.2, 1.3, 1.4,

**CAUTION!**

Nearly 16,000 attorneys are eligible to practice law in Arizona. Many attorneys share the same names. All discipline reports should be read carefully for names, addresses and Bar numbers.

1.5, 3.2, 1.15, 1.16 and 8.1(b), and Rules 43, 44 and 53(d) and (f), ARIZ.R.S.Ct.

**ALEXANDER WADE**

Bar No. 021374; File No. 04-1346

Supreme Court No. SB-05-0159-D

By Arizona Supreme Court judgment and order dated January 5, 2006, Alexander Wade, P.O. Box 13313, Scottsdale, AZ 85029-4616, a suspended member of the State Bar, consented to disbarment and was ordered to pay the costs and expenses of the disciplinary proceedings.

Mr. Wade pled guilty in United States District Court, case number CR 03-00470-001-PHX-SRB, to the crime of conspiracy to import methylenedioxy-methamphetamine, a Class C felony. He committed this crime beginning on September 1, 2001, through March 26, 2002, immediately prior to his being admitted to the practice of law in Arizona on April 23, 2002. On July 16, 2004, he was sentenced to imprisonment for a term of five years to be followed by three years of supervised release.

**CINDY L. WAGNER**

Bar No. 013700; File Nos. 04-1678, 04-1897

Supreme Court No. SB-05-0175-D

By Arizona Supreme Court judgment and order dated February 7, 2006, Cindy L. Wagner, P.O. Box 3317, Show Low, AZ 85902, a suspended member of the State Bar, was disbarred and assessed the costs and expenses of the disciplinary proceedings.

In a child dependency matter, Ms. Wagner appeared as an attorney in Navajo County Superior Court while she was suspended for failing to comply with mandatory continuing legal education requirements. In a civil matter pending in U.S. District Court, Ms. Wagner failed to comply with an order regarding the preparation of a joint case management plan. She failed to respond to an order to show cause why she should not be sanctioned for her deficient representation, and did not appear at the hearing on the order to show cause. She then failed to respond to the State Bar during its investigation and she failed to respond to the formal disciplinary action.

Five aggravating factors were found: a pattern of misconduct, bad-faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency, refusal to acknowledge wrongful nature of conduct, vulnerability of victim and indifference to making restitution. No mitigating factor was found.

Ms. Wagner violated Rule 42, Ariz.R.S.Ct., ERs 1.4, 3.2, 3.4, 5.5, 8.1 and 8.4(d), and Rule 53(c), (d) and (f), ARIZ.R.S.Ct. 