

RESINSTATED ATTORNEYS THOMAS A. CIFELLI

Bar No. 013794; File No. 12-0031-R
PDJ No. 2012-9018

By the presiding disciplinary judge's order filed May 6, 2014, Thomas A. Cifelli, Scottsdale, was reinstated as an active State Bar member, and placed on probation for two years, effective the date of the order.

SANCTIONED ATTORNEYS DEVIN ANDRICH

Bar No. 023075; File No. 14-9015
PDJ No. 2014-9015

By order of the presiding disciplinary judge filed March 24, 2014, Devin Andrich, Phoenix, was placed on interim suspension effective that date. At the hearing on the State Bar's motion for interim suspension, Mr. Andrich conceded that probable cause for the requested relief existed and that interim suspension was appropriate.

Mr. Andrich is alleged to have misappropriated client funds thereby causing immediate and substantial harm to his clients, the public, and the administration of justice. To date, Mr. Andrich has refused to account for approximately \$135,000 that he was to hold in trust for two of his clients. Mr. Andrich has been charged with felony counts of fraudulent schemes and artifices, theft and forgery.

Mr. Andrich was permitted to continue to represent two bankruptcy clients for a short period of time under certain specific conditions, but in no event any longer than April 11, 2014. Mr. Andrich may not accept any new clients or funds for representing new clients. Mr. Andrich's operating and trust bank accounts were frozen and he may not withdraw funds from the accounts without the prior approval

of the State Bar or the court. Any fees owed to Mr. Andrich are to be deposited in a trust fund from which withdrawals may be made only with the prior approval of the State Bar or the court. Mr. Andrich must notify all of his clients of the terms of the order within 10 days of the effective date of the suspension.

MARTIN E. BRANNAN

Bar No. 017151; File Nos. 12-0132,
13-0362

PDJ No. 2014-9032

By the presiding disciplinary judge's April 30, 2014, judgment and order, Martin E. Brannan, Quartzsite, was suspended for 90 days effective the date of the order. He also was placed on probation for one year following his reinstatement to obtain CLE on conflicts of interest, and was assessed the costs and expenses of the disciplinary proceeding.

Mr. Brannan, the Quartzsite town attorney, town prosecutor, and town parliamentarian, filed a criminal complaint against his client, the mayor, for allegedly refusing to adjourn a town council meeting owing to lack of a quorum. Mr. Brannan also initiated litigation on behalf of his client—the town—against his other clients, the Quartzsite Town Council and certain Quartzsite employees in various personnel matters, without obtaining written informed consent to the conflicts of interest. When Mr. Brannan was fired he failed to return town property (files and electronically stored data) to the town. After he was fired, Mr. Brannan represented former town employees in litigation against the town—his former client—without obtaining written informed consent to the conflict of interest. On motion, Mr. Brannan was disqualified from representing

the former employees due to his conflict of interest with his former employer.

Aggravating factors: prior disciplinary offenses, pattern of misconduct, multiple offenses, and substantial experience in the practice of law.

Mitigating factors: personal or emotional problems, full and free disclosure to the disciplinary board or cooperative attitude toward proceedings, and remorse.

Mr. Brannan violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.7, 1.11, 1.16(d), 3.1, and 8.4(d).

AIMEE LORINE BUTEL

Bar No. 029627; File No. 13-0630
PDJ No. 2014-9037

By judgment and order dated May 7, 2014, the presiding disciplinary judge accepted an agreement for discipline by consent by which Aimee Lorine Butel, Phoenix, was suspended for one year, retroactive to Oct. 18, 2013. Upon reinstatement, Ms. Butel will be placed on supervised probation for one year and must participate in the State Bar's Member Assistance Program. Ms. Butel also was ordered to pay the costs and expenses of \$1,205.99.

In count one, Ms. Butel self-reported her criminal conviction for a class 5 felony for leaving the scene of a fatal accident and class 1 misdemeanor for driving under the influence.

Aggravating factor: illegal conduct.

Mitigating factors: absence of a prior disciplinary record, full and free disclosure to disciplinary board and cooperative attitude toward proceedings, imposition of other penalties or sanctions, and remorse.

Ms. Butel violated Rule 42,

ARIZ.R.S.CT., specifically ER 8.4(b), and Rule 54(g), ARIZ.R.S.CT.

CARMEN FISCHER

Bar No. 009975; File No. 14-0910
PDJ No. 2014-9025

On April 8, 2014, the presiding disciplinary judge granted the State Bar's motion to place Carmen Fischer, Phoenix, on interim suspension effective that same date. The suspension will continue in effect until further order of the presiding disciplinary judge.

The State Bar provided a certified copy of the Pinal County Superior Court judgment of conviction in which Ms. Fischer pled guilty to attempted money laundering, a class 4 felony, and assisting a criminal street gang, a class 3 felony. Ms. Fischer was sentenced to prison for three years and probation following her release for four years. Ms. Fischer did not resist the State Bar's motion for interim suspension.

WILLIAM B. FORTNER

Bar No. 004923; File No. 11-3792
PDJ No. 2012-9115

Supreme Court No. SB-13-0046-AP

On May 28, 2013, William R. Fortner, Prescott, was suspended six months and one day effective June 27, 2013. He also was assessed the costs and expenses of the disciplinary proceeding. Upon reinstatement, Mr. Fortner will be placed on probation for two years, the terms of which include participating in the State Bar's Lawyer Office Management Assistance Program. Mr. Fortner appealed from the decision of the hearing panel. By order dated March 24, 2014, the Arizona Supreme Court affirmed the hearing panel's decision and sanction.

Mr. Fortner was retained to

address his clients' concerns regarding the handling of certain trusts and trust assets in which they had an interest. The clients had obvious diminished capacity and relied solely on social security disability benefits for income. Mr. Fortner filed suit on behalf of the clients, but he did not engage in any meaningful discussion with them about the risks associated with the litigation nor did he advise them that they could lose their interest in the trust if they challenged its provisions. Mr. Fortner did not tell them how sanctions or fees would be paid if the litigation was unsuccessful. Mr. Fortner initiated the litigation to compel discovery and to obtain limited relief for the clients. However, he did not conduct discovery to obtain the information sought, nor did he seek sanctions for the opposing parties' failure to comply with discovery requests. Mr. Fortner's actions were adverse to the clients' interests. Mr. Fortner did not understand the complexity of the trusts until after the trial court had entered judgment against the clients and just before he initiated an appeal.

Thereafter, Mr. Fortner did not convey to the clients a settlement offer for appellate attorney's fees. As a result of Mr. Fortner's actions, the trust was depleted, the clients were placed at risk of losing the sole remaining asset of the trust, (their home) and the clients were sanctioned by both the trial and appellate courts.

Aggravating factors: prior disciplinary offenses, a pattern of misconduct, refusal to acknowledge wrongful nature of misconduct, vulnerability of victim, and substantial experience in the practice of law.

Mitigating factors: absence of a selfish or dishonest motive, full and free disclosure to disciplinary board, and remoteness of prior offenses.

Mr. Fortner violated Rule 42, ARIZ.R.S.C.T., specifically ERs 1.1, 1.3, 1.4(b), 1.14, 2.1, and 8.4(d).

JEFFREY A. JAMES

Bar No. 013884; File Nos. 13-1729, 14-0513

PDJ No. 2013-9110

By judgment and order dated April 7, 2014, the presiding disciplinary

judge accepted an agreement for discipline by consent by which Jeffrey A. James, Flagstaff, was suspended for 45 days. Mr. James also was placed on probation for one year and ordered to participate in the State Bar's Membership Assistance Program. Mr. James was ordered to pay the State Bar's costs and expenses of the disciplinary proceeding of \$1,200.

Mr. James agreed to assist a client in appealing a criminal conviction and, if necessary, in filing a post-conviction relief petition. After the Arizona Court of Appeals affirmed the conviction and the Arizona Supreme Court declined to accept review, Mr. James filed numerous motions to extend the time to file the post-conviction relief petition and then failed to file the post-conviction relief petition before its due date.

Aggravating factors: pattern of misconduct; vulnerability of the victim; and substantial experience in the practice of law.

Mitigating factors: absence of a prior disciplinary record; personal or

emotional problems; full and free disclosure to disciplinary board or cooperative attitude towards proceedings; and character or reputation.

Mr. James violated Rule 42, ARIZ.R.S.C.T., specifically ERs 1.2(a), 1.3, 1.4, 1.5(d)(3), 1.16(d), and 8.4(d).

MONIQUA KENYATTA LANE

Bar No. 023324; File Nos. 13-1601, 13-1753

PDJ No. 2013-9114

By final judgment and order dated April 1, 2014, Moniqua Kenyatta Lane, Tucson, was suspended for three years effective March 10, 2014. Upon reinstatement, Ms. Lane will be placed on probation with the length and specific terms and conditions of the probation to be determined at that time. Ms. Lane also was assessed the costs and expenses of the disciplinary proceeding of \$2,039.05.

In count one, Ms. Lane failed to inform her clients or opposing counsel that she was suspended for 100 days effective June 3, 2013. She also

failed to notify courts in which she had upcoming appearances of her suspension and failed to file motions to withdraw. Ms. Lane also practiced law after the effective date of her suspension.

In count two, Ms. Lane agreed to assist a client in determining the status of his mother's estate. Ms. Lane was not diligent in doing so, and failed to inform this client of her suspension. Ms. Lane also provided this client legal advice after the effective date of her suspension.

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

Mitigating factors: none.

Ms. Lane violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.2(a), 1.3, 1.4, 5.5(a), 8.1(b), and 8.4(c), and Rules 31(c), 54(c), 54(d), and 72, ARIZ.R.S.CT.

LAURA LEHAN

Bar No. 012342; File Nos. 13-0877, 13-0974, 13-1383, 13-2019, 13-2676, 14-0096

PDJ Nos. 2013-9100, 2014-9011

By the presiding disciplinary judge's April 30, 2014, judgment and order, Laura Lehan, Phoenix, was suspended for six months and one day effective May 15, 2014, for her conduct in five matters. She also was assessed the costs and expenses of the disciplinary proceeding and ordered to participate in State Bar fee arbitration. If she is reinstated, she will be placed on two years' probation.

In the first matter, Ms. Lehan failed to act with reasonable diligence in representing her client in a guardianship matter, lost documents, failed to return documents and failed to promptly communicate with her client.

In the second matter, Ms. Lehan represented a client in a DUI case. In doing so, she moved for a 60-day continuance against her client's wishes, failed to timely respond to phone calls, failed to return documents and failed to timely issue a partial refund.

In the third matter, a juvenile delinquency case, Ms. Lehan failed to appear for two hearings and failed to respond to communication attempts made by opposing counsel.

In the fourth matter, a grandparent rights case, Ms. Lehan drafted pleadings taking a particular course of action without consulting with her client.

In the fifth matter, a family law case in which she had been appointed to act in the best interests of children, Ms. Lehan failed to speak with the father, mother, or court-appointed adviser for months prior to trial and then failed to appear for trial. Ms. Lehan also failed to refund unearned fees at the end of her representation.

Aggravating factors: pattern of misconduct, multiple offenses, vulnerability of victim and substantial experience in the practice of law.

Mitigating factors: lack of a prior disciplinary record, personal or emotional problems and timely good-faith effort to make disclosure to the State Bar.

Ms. Lehan violated Rule 42, ARIZ.R.S.CT., specifically ER(s) 1.2, 1.3, 1.4, 1.15, 1.16(d), 3.4(c) and 8.4(d).

DONALD O. LOEB

Bar No. 001959; File Nos. 12-0803, 13-1027

PDJ No. 2014-9021

By judgment and order dated April 11, 2014, Donald O. Loeb, Mesa, was suspended for 30 days.

Mr. Loeb's suspension resulted from his failure to comply with probation terms associated with disciplinary sanctions imposed against him on March 19, 2013, and Oct. 16, 2013. On Feb. 24, 2014, the State Bar filed a notice that Mr. Loeb had not complied with the probation terms. After a hearing on March 25, 2014, the presiding disciplinary judge found that Mr. Loeb violated the terms of his probation.

As a condition of reinstatement, Mr. Loeb must comply with terms and conditions of probation imposed in the prior matters and must demonstrate that he has significantly reduced his case load by filing notices of withdrawal in other cases that he has pending. Mr. Loeb also was ordered not to accept any new clients and not to accept funds from any new clients. In addition, the presiding disciplinary judge ordered Mr. Loeb's trust and operating accounts to be frozen and appointed practice monitors for Mr. Loeb.

GREGORY ALLEN MALKIN

Bar No. 026051; File Nos. 13-1658, 13-2063, 13-2352

PDJ No. 2014-9013

After reviewing an agreement for discipline by consent, the presiding disciplinary judge entered a final judgment and order dated May 16, 2014, in which Gregory Allen Malkin, Phoenix, was suspended for 90 days commencing 30 days from that date. Mr. Malkin also was ordered to pay restitution to two clients within 60 days. He also was assessed the costs and expenses of the disciplinary proceeding of \$1,206.78.

In count one, Mr. Malkin agreed to assist a client in obtaining a divorce. Mr. Malkin filed the divorce petition but never served it, and the court eventually dismissed the petition. In count two, Mr. Malkin assisted a client in settling a child support and custody case. The court ordered that counsel submit a stipulated order that approved of the settlement. Mr. Malkin did not submit the stipulated order, and the court subsequently dismissed his client's case. In count three, Mr. Malkin collected an unreasonable fee from a client.

Aggravating factors: prior disciplinary offenses, a pattern of misconduct, and multiple offenses.

Mitigating factors: none.

Mr. Malkin violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.2(a), 1.3, 1.4, 1.5(a), 1.5(b), 1.6, 1.16(d), 3.2, and 8.4(d).

RONALD S. MATHENY

Bar No. 013951; File Nos. 13-0458, 13-0601, 13-1735

PDJ No. 2013-9118

By the presiding disciplinary judge's April 2, 2014, judgment and order, Ronald S. Matheny, Phoenix, was disbarred effective March 12, 2014. He also was ordered to pay restitution of \$2,000, return all case files and legal papers to a former client, and pay the costs and expenses of the disciplinary proceeding.

Mr. Matheny was suspended for one year in 2008 and again for 150 days in 2012, and was not reinstated after either suspension. All of his conduct described in the three-count complaint occurred while he was suspended.

In count one, Mr. Matheny was seen in a car with a friend passing a tin-foil makeshift pipe. He was arrested and a subsequent lab analysis con-

firmed that Mr. Matheny had been smoking heroin and methamphetamine.

In count two, Mr. Matheny portrayed himself as an attorney and tried to persuade a decedent's daughter to sign away her right to the decedent's Missouri bank account. Mr. Matheny led the decedent's widow to believe that he was a lawyer in good standing, falsely told the daughter that Missouri is a community property state, threatened court action, forced the daughter to retain and pay counsel, and negotiated legal rights with counsel.

In count three, Mr. Matheny wrote a solicitation letter to former clients to review their estate plan. The letterhead on which he wrote his letter read "Law Offices," "Ronald S. Matheny," "Attorney at Law," and "Admitted in Arizona and Alberta, Canada." The former clients met with Mr. Matheny and gave him some legal and financial documents. Later, however, they learned that he was suspended and had been arrested, and demanded that he return their documents. Mr. Matheny failed to do so.

Mr. Matheny failed to respond to the State Bar's screening investigations in all three counts. He failed to file an answer to the State Bar's formal complaint and the presiding disciplinary judge entered a default. After an aggravation/mitigation hearing at which Mr. Matheny did not appear, a hearing panel ordered his disbarment as the principal sanction.

Aggravating factors: 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 the rules or orders of the disciplinary agency, refusal to acknowledge wrongful nature of conduct, substantial experience in the practice of law, and illegal conduct including that involving the use of controlled substances.

Mitigating factors: none.

Mr. Matheny violated Rule 42, ARIZ.R.S.CT., specifically ERs 5.5, 8.1(b), and 8.4(b), as well as Rule 31 and Rule 54, ARIZ.R.S.CT.

DIANA McCULLOCH

Bar No. 009885; File No. 12-2894

PDJ No. 2013-9105

By order of the acting presiding dis-

ciplinary judge dated April 11, 2014, Diana McCulloch, Tempe, will begin a 30-day suspension on June 22, 2014. Ms. McCulloch will be placed on probation for one year (CLE and restitution) subject to early termination. She also will be assessed the costs and expenses of the disciplinary proceeding.

Ms. McCulloch represented both biological parents and potential adoptive parents in a matter, which posed a significant risk that both biological parents were not properly informed as to their rights and her responsibilities to the biological parents were materially limited due to her responsibilities to potential adoptive parents. Ms. McCulloch knowingly filed pleadings on behalf of the potential adoptive parents who were not parties in

the action. She also knowingly failed to pay a sanction for two years before discharging it in bankruptcy.

Aggravating factors: prior disciplinary offenses, a pattern of misconduct refusal to acknowledge wrongful nature of conduct, and substantial experience in the practice of law.

Mitigating factors: remoteness of some of the prior offenses and delay in disciplinary proceedings. Although the conduct occurred in 2009, this matter was not brought to the State Bar's attention until October 2012.

Ms. McCulloch violated Rule 42, ARIZ.R.S.C.T., specifically ERS 1.7(a), 3.1, and 3.4(c).

SABRINA PRICE

Non-Arizona attorney; New Mexico Bar No. 140816

File Nos. 11-3302, 11-3699, 12-024, 12-0143, 12-1403, 12-1706, 12-2209, 12-2518

PDJ No. 2013-9077

By final judgment and order filed March 21, 2014, Sabrina Price, Sun

City, Ariz., was reprimanded and ordered to pay restitution of \$22,780.78. She also was assessed the costs and expenses of the disciplinary proceeding of \$3,576.55. The hearing panel specifically found that if Ms. Price, who is licensed in New Mexico, were a member of the State Bar of Arizona, the appropriate sanction would have been disbarment.

The common thread in eight client cases was that Ms. Price was retained by clients seeking assistance with immigration matters. The clients paid Ms. Price fees, but she provided little or no legal services to them. In those cases in which Ms. Price provided legal services, they were of no real value to the clients and in some cases, they caused actual harm to the clients. Among other misconduct, Ms. Price was not diligent in the representations. She did not timely file motions and failed to appear at immigration hearings. She also failed to keep the clients reasonably informed about the status of their cases. Ms. Price did not return unearned fees to clients upon termination of the representation, and in

some cases, she did not return the clients' original documents. In many of the cases, Ms. Price did not cooperate with the State Bar's investigation and in some of the cases, she made false statements of material fact during the investigation. Finally, in one of the cases, Ms. Price directed her associate to tell the Immigration Court that a client failed to appear at a hearing because he had car trouble when she did not know if that was true.

Aggravating factors: 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, submission of false evidence, false statements, or other deceptive practices during the disciplinary process, refusal to acknowledge wrongful nature of conduct, vulnerability of victim, and indifference to making restitution.

Mitigating factors: absence of a prior disciplinary record in New Mexico, the state in which she is admitted to practice law.

CAUTION! Nearly 17,000 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.

Ms. Price violated Rule 42, ARIZ.R.S.Ct., specifically ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.3(a)(1), 5.1(c), 8.1(a), 8.1(b), 8.4(c) and 8.4(d).

KEVIN ORIN TORREY

Bar No. 022300; File Nos. 13-1035, 13-1261, 13-1262, 13-1584
PDJ No. 2013-9115

By final judgment and order filed on April 1, 2014, Kevin Orin Torrey, Camp Verde, Ariz., was suspended for two years effective the date of the order. He was ordered to pay restitution of \$4,400 and was assessed the costs and expenses of the disciplinary proceeding of \$2,214.13. Upon reinstatement, Mr. Torrey shall be placed on two years of probation with the State Bar's Law Office Management Assistance Program and Member Assistance Program.

In four cases, Mr. Torrey abandoned his clients during the course of the representation. He failed to appear at various hearings or comply with court orders; failed to conduct discovery or interview witnesses; failed to submit any substantive filings; and allowed client complaints to be dismissed. In one case, Mr. Torrey told the trial court that he had filed an amended complaint as previously ordered, which was false. In another case, Mr. Torrey responded to a motion to dismiss by avowing that he was contemporaneously submitting an expert witness affidavit to opposing counsel, which was false. Mr. Torrey failed to keep the clients reasonable informed about the status of the matter or promptly comply with reasonable request for information. By failing to provide the services contracted for by his clients, Mr. Torrey collected unreasonable fees. And, upon termination of the representation, he failed to turn over the client files or any refund unearned fees. Mr. Torrey then failed to cooperate with the State Bar's investigation.

Aggravating factors: 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, vulnerability of victim, substantial experience in the practice of law, and indifference to making restitution.

Mitigating factors: absence of a prior disciplinary record and personal and emotional problems.

Mr. Torrey violated Rule 42, ARIZ.R.S.Ct., specifically ERs 1.3, 1.4, 1.5, 1.16, 3.2, 3.3, 3.4, 8.4(c), and 8.4(d), and Rules 54(a), 54(d)(1), and 54(d)(2), ARIZ.R.S.Ct.

ANTHONY J. WIGGINS

Bar No. 010523; File No. 13-0306
PDJ No. 2013-9117

By the presiding disciplinary judge's March 21, 2014, judgment and order, Anthony J. Wiggins, Tucson, was suspended for 90 days effective that date. He was previously ordered to resolve a lingering lien claim of \$3,372.55 and, if he could not complete the task prior to his suspension, to

hire substitute counsel to resolve it. Upon his reinstatement Mr. Wiggins will be on probation for two years with the State Bar's Law Office Management Assistance Program and Member Assistance Program. He also was ordered to participate in fee arbitration if his client requested it, comply with all notice and filing requirements required by Supreme Court Rule 72, and pay the costs and expenses of the disciplinary proceeding.

Mr. Wiggins represented a functionally illiterate client in a motor vehicle, bodily injury case. The crash occurred in January 2005 and the case settled for \$9,750 in August 2006. Because Mr. Wiggins failed to obtain or provide sufficient medical lien information to the liability insurer, the insurer did not issue a settlement check until April 2009. Mr. Wiggins did not deposit the check into his trust account until September 2009. He then paid himself \$3,405 representing a full one-third fee and reimbursement for costs he advanced, gave the client \$2,345, and has held \$4,000 in his trust account ever since, ostensibly in reserve for possible medical provider or insurance liens. Mr. Wiggins failed to respond to his client's many requests for status information, to the State Bar's requests for information, and to the State Bar's formal screening by initial and extended deadlines. He also failed to file an answer to the formal complaint so the presiding disciplinary judge entered a default. Mr. Wiggins appeared for his aggravation/mitigation hearing but the hearing panel found him to lack credibility regarding his proffered reasons for the delay in administering the client's settlement, his claimed efforts to communicate with his client, and his defense of the reasonableness of his fee.

Aggravating factors: prior disciplinary offenses, a pattern of misconduct, multiple offenses, refusal to acknowledge wrongful nature of conduct, vulnerability of victim, substantial experience in the practice of law, and indifference to making restitution.

Mitigating factors: none.

Mr. Wiggins violated Rule 42, ARIZ.R.S.Ct., specifically ERs 1.3, 1.4, 1.5(a), 1.15(d), and 8.1(b), and Rule 54(d), ARIZ.R.S.Ct.

JEANNE M. ZINGSHEIM

Bar No. 022778; File No. 13-1317
PDJ No. 2013-9113

By judgment and order filed March 21, 2014, the presiding disciplinary judge and a hearing panel suspended Jeanne M. Zingsheim, Phoenix, for six months and one day, effective immediately. Ms. Zingsheim also was ordered to obtain a Member Assistance Program assessment prior to filing an application for reinstatement and ordered to complete two years of probation if reinstated. Ms. Zingsheim also was ordered to pay the costs and expenses of \$2,016.80.

In count one, Ms. Zingsheim failed to comply with her client's directions and authority, failed to diligently represent her client, failed to reasonably communicate with her client, unilaterally terminated the representation and failed to

respond timely to the lawful requests of the State Bar for information during a disciplinary investigation.

Aggravating factors: pattern of misconduct and bad-faith obstruction of the disciplinary proceedings by intentionally failing to comply with rules or orders of the disciplinary agency.

Mitigating factor: absence of prior disciplinary record.

Ms. Zingsheim was found to have violated Rule 42, ARIZ.R.S.Ct., specifically ERs 1.2, 1.3, 1.4(a)(1), 1.4(a)(2), 1.4(a)(3), 1.4(a)(4), 1.16, 8.1, and 8.4(d), and Rule 54(d), ARIZ.R.S.Ct.