

# bar community

from the board | news for members | lawyer regulation | people

## STATE BAR BOARD OF GOVERNORS

### July Meeting Review

Below are highlights from the July 10, 2003, State Bar Board of Governors meeting held at the Board of Governors retreat in Prescott.

- ▶ President Pamela Treadwell-Rubin gave a mini-review of the roles and responsibilities of Board members, which included discussion of the following: Rule 31 of the Supreme Court and the establishment of the State Bar; Board of Governors Code of Conduct; and the paper "What Does the Board of Governors Do?" In addition, the Board reviewed the latest draft of Strategic Agenda 2003.
- ▶ The Board approved the Consent Agenda: Resignations in Good

Standing; Approval of the Securities Regulation Section's revised bylaws and the Tax Section's amended bylaws; and Approval of June 2003 Board Minutes (as amended).

- ▶ The Board were guests of the Yavapai County Bar Association for a barbecue held at the home of Ray and Lanette Hanna that evening.
- ▶ Marc Smiley, the facilitator for the one and a half day retreat, led the Board through discussion and exercises aimed at building a stronger organization.

## Mark Your Calendar CLE Opportunities Abound

**Sept. 5, 9:00 a.m.-12:15 p.m.**  
**Law and Order—BACK BY POPULAR DEMAND** (3 hours Ethics)  
ASU Downtown Center, Phoenix

**Sept. 10, 11:00 a.m.-1:30 p.m.**  
**Software Licensing Live/Telecast** (2 hours Ethics)  
Lewis and Roca, Phoenix/Tucson

**Sept. 12, 9:00 a.m.-5:00 p.m.**  
**Representing Arizona Business** (6 hours MCLE) Phoenix

**Sept. 19, 9:00 a.m.-5:00 p.m.**  
**Trial Practice for Fun and Profit** (5 hours MCLE, 2 hours Ethics)  
Orange Tree Golf Resort, Scottsdale

**Sept. 24-26**  
**Workers' Compensation**  
Prescott Resort and Conference Center, Prescott (Up to 15 hours MCLE and 3 hours Ethics)

**Sept. 25, 9:00 a.m.-12:15 p.m.**  
**Writing to Win** (3 hours MCLE)  
ASU Downtown Center, Phoenix

**Sept. 26, 9:00 a.m.-4:45 p.m.**  
**APAAC—Whitebread Constitutional Law Update** (5.75 hours MCLE, 1 hour Ethics)  
Wyndham Resort Downtown, Phoenix

**Oct. 3, 9:00 a.m.-4:00 p.m.**  
**Comprehensive Uniform Trust Code** (5 hours MCLE)  
Wyndham Resort Downtown, Phoenix

**Oct. 3-4**  
**2003 Annual Employment and Labor Law Seminar** (8.25 hours MCLE)  
Radisson Woodlands Hotel, Flagstaff

*Get all your MCLE credit from your home or office.*

*More than 150 hours of interactive credit & 25 hours self-study are available online.*

*Visit our product catalog at <http://cle.azbar.org> to view courses.*

## news for members

### Ninth Circuit Lawyer Position Open

Each year, the judges of the United States District Court for the District of Arizona select lawyers with experience in the federal courts to serve as lawyer representatives to the Ninth Circuit Judicial Conference.

Arizona's Lawyer Representatives attend the annual Judicial Conference and meet periodically with Arizona's district court judges, bankruptcy court judges and magistrate judges to discuss potential improvements to court operations and procedures.

In addition, Lawyer Representatives play a leading role in an annual Arizona District

Conference for federal judges and practitioners. Lawyer Representatives serve a three-year term.

If you are interested in serving, send a resume and accompanying letter explaining your qualifications and interest in the position to: Ray Hanna, Co-Chair, Arizona Lawyer Representative to the 9th Circuit, P.O. Box 2299, Prescott, AZ 86302. **Applications are due by September 20.**

For questions contact Ray Hanna at (928) 771-9050, or Ana Maria Merico-Stephens, Co-Chair, at (520) 626-8150.

### CORRECTION

An item in our July/August People column incorrectly noted the firm of **William R. Jones, Jr.**, who won the Samuel E. Gates Litigation Award from the American College of Trial Lawyers.

Mr. Jones is a founding member of **Jones, Skelton & Hochuli PLC** in Phoenix.

We apologize for the error.

# lawyer regulation

## REINSTATEMENTS

### CHARLES M. GILES

Bar No. 001701; File Nos. 96-1471, 98-2582 and 99-1564

By Supreme Court Judgment and Order dated June 13, 2003, Charles M. Giles, 2720 E. Broadway, Tucson, AZ 85716, was reinstated pursuant to Rule 71(c) after completing his suspension ordered on Nov. 1, 2002.

### SARA JANE ODNEAL

Bar No. 009230; File Nos. 00-2016, 00-2154 and 00-2325

By Supreme Court Judgment and Order dated Nov. 18, 2002, Sara Jane Odneal, 2826 S. Carriage Lane, #100, Mesa, AZ 85202, was reinstated pursuant to Rule 71(c) after completing her suspension ordered on July 3, 2002.

## SANCTIONED ATTORNEYS

### HARRY P. FRIEDLANDER

Bar No. 005244; File No. 00-2172

By Supreme Court Judgment and Order dated Mar. 26, 2003, Harry P. Friedlander,

1837 S. Mesa Drive, Suite C-100, Mesa, AZ 85210, was censured by consent. Mr. Friedlander was placed on one year's probation, including participation in the Law Office Member Assistance Program and participation in the fee arbitration program. Mr. Friedlander must pay the State Bar's costs and expenses of \$1,200.70, with interest.

Mr. Friedlander represented a client in a lawsuit against Cigna Healthcare. The client paid Mr. Friedlander a total of \$5,000 to depose an expert witness and present that expert's testimony at an arbitration hearing. Although Mr. Friedlander received that payment, he failed to depose the expert or use the expert at the hearing. In addition, Mr. Friedlander failed to hold the client's funds separate and apart from his own funds; failed to maintain complete trust account records of the handling, maintenance and disposition of all client funds; failed to keep complete records of the funds placed in his trust account; failed to exercise due professional care in the performance of his duties under the Trust Account Guidelines; failed to have and/or use internal controls in his office that were adequate under the circumstances to safeguard funds held in trust; failed to promptly and completely record all client trust account transactions; failed to create

and/or maintain records complying with the rules and Trust Account Guidelines; failed to make all trust account disbursements by prenumbered check; and failed to perform monthly reconciliation of the trust account records and bank statements.

Five aggravating factors were found: prior disciplinary offenses, pattern of misconduct, multiple offenses, vulnerability of the victim and substantial experience in the practice of law. Six mitigating factors were found: absence of selfish or dishonest motive, timely good faith effort to make restitution or to rectify the consequences of his misconduct, full and free disclosure to a disciplinary board and cooperative attitude toward the proceedings, character or reputation, remorse and remoteness of the prior offenses.

Mr. Friedlander violated ER 1.15(a), and Rules 43(a) and (d) (Guidelines 1.a, 1.c, 1.d, 1.e, 2.c and 2.e) and 44(b)(3), ARIZ.R.S.Ct.

### THOMAS COSIMO PICCIOLI

Bar No. 012546; File No. SB-03-0641

By Supreme Court Judgment and Order dated June 16, 2003, Thomas Cosimo Piccioli, Phoenix, AZ, was placed on interim suspension pursuant to Rule 57(b), ARIZ.R.S.Ct., until the final disposition of all pending proceedings.

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

## new people, new places



GILSON



MURRAY

**Tom Gilson** and **Jennifer Murray** have joined the Phoenix office of **Lewis and Roca**. Gilson, Of Counsel, concentrates his practice on commercial litigation, and Murray practices in the firm's corporate group as an associate. Also at the firm, **David Kelly** and **Quentin Vaughan** have rejoined as Of Counsel in Phoenix. Kelly practices on labor and employment issues; Vaughan concentrates his practice on mergers and acquisitions.

**Squire Sanders & Dempsey LLP** has announced that **Brian A. Cabianca**, **David M. Klein** and **Jordan A. Kroop** have



KROOP

become partners in the firm's Phoenix office. Cabianca focuses his practice on general litigation matters, with an emphasis on commercial litigation and business torts. Klein practices in the area of real estate and commercial finance transactions. Kroop's practice emphasizes bankruptcy and corporate restructuring matters.



KELLY



VAUGHAN

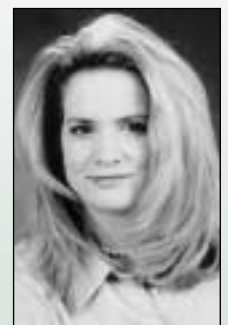


CABIANCA



KLEIN

**Stefanie J. Evans** has joined the labor and employment department of **Step toe and Johnson LLP** and concentrates her practice on defending private and public entities in employment matters.



EVANS