

SUPREME COURT OF ILLINOIS

TUESDAY, NOVEMBER 17, 2015

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.27547 - In re: Paul M. Weiss. Disciplinary Commission.

The petitions by the Administrator of the Attorney Registration and Disciplinary Commission and respondent Paul M. Weiss for leave to file exceptions to the report and recommendation of the Review Board are allowed, and respondent Paul M. Weiss is disbarred.

Order entered by the Court.

M.R.27573 - In re: Lee Samuel Fainman. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Lee Samuel Fainman is disbarred and required to pay restitution in the amount of \$5,750 to Dennis Boi as a condition of any reinstatement.

Order entered by the Court.

M.R.27585 - In re: John Dentamaro. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent John Dentamaro is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.27586 - In re: Corey Edward Meyer. Disciplinary Commission.

The amended petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Corey Edward Meyer is suspended from the practice of law for eighteen (18) months, with the suspension stayed after five (5) months by a one (1) year period of probation subject to the following conditions:

a. Respondent shall maintain and utilize a system for the handling of funds belonging to clients and third parties and the maintenance of records that conforms to the requirements of Rule 1.15 of the Illinois Rules of Professional Conduct and instructions provided to respondent by the Administrator, including the following Trust Account Procedures:

Basic accounting records that must be maintained daily and accurately:

Account Check Register - List sequentially all trust account deposits and trust account checks and maintain a current and accurate daily balance on the trust account;

Account Receipts Journal - List chronologically all deposits into the trust account. Each deposit will list the date of the deposit, the source of each deposit, the client matter, the deposit number and the amount of the deposit, and maintain a copy of each item deposited;

Account Disbursement Journal - List chronologically all trust account disbursements, and identify each disbursement with the date of the disbursement check, the trust account check number, the payee, the purpose of the disbursement, the client matter and the amount of the disbursement check;

Client Ledger Journal - List chronologically for each client matter all receipts, disbursements and remaining balances, preparing a separate page for each client matter and listing chronologically all receipts and disbursements and remaining balances for each client matter; and

Source documents, which must be preserved for seven (7) years:

Bank Statements;

Deposit slips;

Cancelled checks - All trust account checks must have a named payee (no checks written to "cash") and the memo portion of the check must contain a reference to a client matter;

Time and billing records;

Copies of records from client files that are necessary for a full understanding of the lawyer's financial transactions with the client: e.g., retainer and engagement agreements; settlement statements to clients showing the disbursement of the settlement proceeds, bills sent to clients and records of payments to other lawyers or non-employees for services rendered; and

Reconciliation - There must be a running balance maintained for all ledgers and account books. The balances in the client ledger journal must be reconciled each month with the balances in the trust receipts and disbursement journals, the account checkbook register and the bank statements. Records of each reconciliation must be maintained for seven (7) years;

b. Respondent shall continue to have his accountant, Jennifer Nardulli, or any other qualified individual acceptable to the Administrator, handle the financial records related to respondent's client trust account, including reconciliation of the account on a monthly basis, and maintaining ledgers for the accounts;

c. Respondent shall submit quarterly reports to the Administrator on the following dates of each year: March 30, June 30, September 30 and December 30. Each quarterly report shall include the nature and extent of respondent's compliance with the conditions imposed herein, as well as information and documents necessary, in the opinion of the Administrator, to confirm respondent's compliance;

d. Respondent shall attend meetings scheduled by the Commission probation officer as requested by the Administrator. Respondent shall submit quarterly written reports to the Administrator concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

e. Respondent shall comply with the Illinois Rules of Professional Conduct, and he shall report to the Administrator any violation of the Illinois Rules of Professional Conduct in which he engaged during the period of suspension and/or probation in this matter;

f. Respondent shall reimburse the Administrator for the costs of this proceeding as defined in Supreme Court Rule 773 and reimburse the Commission for any further costs incurred during the program of probation;

g. Probation shall be revoked if respondent is found to have violated any of the terms of his probation. The remaining period of suspension shall commence from the date of the determination that any term of probation has been violated; and

h. Probation will terminate without further order of the Court upon satisfaction of the above conditions.

Suspension effective December 8, 2015.

Respondent Corey Edward Meyer shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.27597 - In re: Linda Lee Spak. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission for leave to file exceptions to the report and recommendation of the Review Board is allowed, and respondent Linda Lee Spak is suspended from the practice of law for one (1) year.

Suspension effective December 8, 2015.

Respondent Linda Lee Spak shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.27599 - In re: Allan Michael Strizic. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Allan Michael Strizic, who has been disciplined in the State of Arizona and in the State of Wisconsin, is suspended from the practice of law in the State of Illinois for sixty (60) days.

Suspension effective December 8, 2015.

Respondent Allan Michael Strizic shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.27600 - In re: Tim Osicka. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Tim Osicka, who has been disciplined in the State of Wisconsin, is suspended from the practice of law in the State of Illinois for sixty (60) days and until he is reinstated to the practice of law in the State of Wisconsin.

Suspension effective December 8, 2015.

Respondent Tim Osicka shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.27602 - In re: Jason W. Feingold. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Jason W. Feingold is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed in its entirety by a two (2) year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of any and all alcohol, illegal drugs, and non-prescribed controlled substances;

b. Respondent shall attend meetings as scheduled by the Commission probation officer and shall submit quarterly written reports to the Commission probation officer concerning the nature and extent of his compliance with the conditions of probation;

c. Respondent shall, upon request by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

d. Respondent shall participate in a 12-step program such as Alcoholics Anonymous, by attending at least three (3) meetings per week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

e. Respondent shall maintain a sponsor in the 12-step program and shall provide the name and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

f. Respondent shall report any alcohol use to the Administrator within seventy-two (72) hours of that usage;

g. Respondent shall continue his weekly course of treatment with his counselor and provide the Administrator with an appropriate release, authorizing the treating professional to: (1) disclose to the Administrator on at least a quarterly basis, information pertaining to the nature of respondent's compliance with any treatment plan established with respect to

respondent's condition; (2) promptly report to the Administrator, respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's treatment and compliance with any established treatment plan;

h. Respondent shall notify the Administrator within fourteen (14) days of any change of address, any change in relapse prevention program, or any change in treating therapist;

i. Respondent shall comply with the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

j. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

k. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

l. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court; and

m. Probation shall terminate without further order of Court provided that respondent complies with the above conditions.

Respondent Jason W. Feingold shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension/probation.

Order entered by the Court.

M.R.27604 - In re: John Anthony Franczyk. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent John Anthony Franczyk is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.27617 - In re: Frank Edward Peters, Jr. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Frank Edward Peters, Jr. is disbarred.

Order entered by the Court.

M.R.27633 - In re: Russell James Stewart.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Russell James Stewart is suspended from the practice of law for six (6) months.

Suspension effective December 8, 2015.

Respondent Russell James Stewart shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.27635 - In re: Byron Lee Landau. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Byron Lee Landau is suspended from the practice of law for three (3) years and until further order of the Court.

Order entered by the Court.

M.R.27649 - In re: Geraldine C. Simmons. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Geraldine C. Simmons is censured.

Order entered by the Court.

Freeman, J., took no part.

M.R.27653 - In re: David Joseph Simard. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed and respondent David Joseph Simard is disbarred.

Order entered by the Court.

M.R.27658 - In re: Albert S. George. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed and respondent Albert S. George is suspended from the practice of law for one (1) year and until further order of the Court.

Order entered by the Court.

M.R.27661 - In re: Paul D. Lawent. Disciplinary Commission.

The petition by Paul D. Lawent to be placed on permanent retirement status pursuant to Supreme Court Rule 756(a)(8) is allowed, effective immediately.

Order entered by the Court.

M.R.27675 - In re: George Stephen Kois. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent George Stephen Kois is censured.

Order entered by the Court.

M.R.27695 - In re: Victor Walter Groszko. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Victor Walter Groszko is suspended from the practice of law for one (1) year and until further order of the Court, with the suspension stayed in its entirety by a three (3) year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of any and all alcohol, illegal drugs, and non-prescribed controlled substances;

b. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

c. Respondent shall, as required by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

d. Respondent shall participate in a 12-step program such as Alcoholics Anonymous, by attending at least two (2) meetings a week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

e. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety to the Administrator within seventy-two (72) hours of his knowledge of that lapse;

f. Respondent shall report any alcohol use to the Administrator within seventy-two (72) hours of that usage;

g. Respondent shall continue in his course of treatment at Presence St. Joseph Hospital and with Dr. Ralph Orland and Dr. Martin Lemon, or such other qualified mental health professionals acceptable to the Administrator, and shall report to Dr. Orland and Dr. Lemon, or such other qualified mental health professionals, on a basis determined by the mental health professionals, but not less than once every month, with the Administrator advised of any change in attendance deemed warranted by such professionals;

h. Respondent shall comply with all treatment recommendations of Presence St. Joseph Hospital, Dr. Orland, and Dr. Lemon, or such other qualified mental health professionals, including the taking of medications as prescribed;

i. Respondent shall provide to Presence St. Joseph Hospital, Dr. Orland, and Dr. Lemon, or such other qualified mental health professionals, an appropriate release authorizing the treating professionals to: (1) disclose to the Administrator on at least a quarterly basis information pertaining to the nature of respondent's compliance with any treatment plan established with respect to respondent's condition; (2) promptly report to the Administrator respondent's failure to comply with any part of an established treatment plan; and (3) respond to any inquiries by the Administrator regarding respondent's mental or emotional state or compliance with any established treatment plans;

j. Respondent shall notify the Administrator within fourteen (14) days of any change of address, any change in treatment program, or any change in treating mental health professionals;

k. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

l. Respondent, if convicted of any criminal or quasi-criminal statute or ordinance, shall comply with any conditions and/or sentencing order of the court in that case;

m. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;

n. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

o. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

p. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The one (1)-year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court; and

q. Probation shall terminate without further order of the Court provided that respondent complies with the above conditions.

Order entered by the Court.