

SUPREME COURT OF ILLINOIS

WEDNESDAY, NOVEMBER 20, 2013

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.25660 - In re: Mark Steven Kipnis. 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 in part. The Administrator having reported to the Court that petitioner Mark Steven Kipnis has successfully completed the Attorney Registration and Disciplinary Commission Professionalism Seminar, the petition by petitioner Mark Steven Kipnis for reinstatement to the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 767 is allowed.

Order entered by the Court.

M.R.26133 - In re: James August Stamos. 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 James August Stamos is disbarred.

Order entered by the Court.

Burke, J., took no part.

M.R.26176 - In re: Ernesto Dos Reis Borges, Jr. Disciplinary Commission.

The petition by respondent Ernesto Dos Reis Borges, Jr. for leave to file exceptions to the report and recommendation of the Review Board is allowed. Respondent is censured and required to successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar within one (1) year of the Court's final order of discipline.

Order entered by the Court.

M.R.26213 - In re: Jeff Terronez. 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. Respondent is disbarred.

Order entered by the Court.

Kilbride, J., took no part.

M.R.26225 - In re: Thaddeus Stanley Gauza. Disciplinary Commission.

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 Thaddeus Stanley Gauza is suspended from the practice of law for five (5) months and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Suspension effective December 11, 2013.

Respondent Thaddeus Stanley Gauza 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.26236 - In re: James E. Pancratz. 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 James E. Pancratz is disbarred.

Order entered by the Court.

M.R.26238 - In re: Chester W. Nosal. 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 Chester W. Nosal is suspended from the practice of law for two (2) years and until further order of the Court.

Order entered by the Court.

M.R.26263 - In re: Manton Lawrence Selby. 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 Manton Lawrence Selby, who has been disciplined in the State of California, is suspended from the practice of law in the State of Illinois for three (3) years, with the suspension stayed by a four (4) year period of probation subject to the conditions of probation imposed upon respondent by the Supreme Court of California, including that respondent be actually suspended for the first eighteen (18) months of his probation, and until he is reinstated in the State of California.

Suspension effective December 11, 2013.

Respondent Manton Lawrence Selby 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.26264 - In re: Matthew Daniel Hatch. 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 Matthew Daniel Hatch, who has been disciplined in the State of Iowa, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.26266 - In re: Hunter Hogan. Disciplinary Commission.

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 Hunter Hogan is disbarred.

Order entered by the Court.

M.R.26267 - In re: Steven J. Bahrmasel. Disciplinary Commission.

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 Steven J. Bahrmasel is suspended from the practice of law for two (2) years and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Suspension effective December 11, 2013.

Respondent Steven J. Bahrmasel 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.26273 - In re: Richard Carl Frasco. 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 Richard Carl Frasco, who has been disciplined in the State of Texas, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.26274 - In re: Logan Truax Johnston, III. 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 Logan Truax Johnston, III, who has been disciplined in the State of Arizona, is suspended from the practice of law in the State of Illinois for six (6) months, with the suspension stayed in its entirety by a two (2) year period of probation subject to the conditions imposed upon respondent by the Presiding Disciplinary Judge of the Supreme Court of Arizona.

Respondent Logan Truax Johnston, III, 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.26275 - In re: Jennifer Cynthia Smetters. 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 Jennifer Cynthia Smetters is suspended from the practice of law for sixty (60) days.

Suspension effective December 11, 2013.

Respondent Jennifer Cynthia Smetters 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.26276 - In re: Stephen Edward Garcia. Disciplinary  
M.R.25468 Commission.

(26276) 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 Stephen Edward Garcia is suspended from the practice of law for two (2) years.

Suspension effective December 11, 2013.

Respondent Stephen Edward Garcia 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.

(25468) The rule to show cause that issued to respondent Stephen Edward Garcia on August 2, 2012, pursuant to Supreme Court Rule 761, and continued until further order of the Court on October 4, 2012, is discharged.

Order entered by the Court.

M.R.26284 - In re: Erwin R.E. Jansen, Jr. 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 Erwin R.E. Jansen, Jr., who has been disciplined in the State of Maryland, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.26294 - In re: Karim G. Dure. 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 Karim G. Dure is suspended from the practice of law for one (1) year and until he pays restitution as follows: \$5,245 to Daniel and Linda Swain, \$2,600 to Amalia Garibay-Cabrales and Oscar Cabrales, and \$2,600 to Hector and Miriam Perez.

Suspension effective December 11, 2013.

Respondent Karim G. Dure 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.26295 - In re: Zachary Hamilton. 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 Zachary Hamilton is suspended from the practice of law for two (2) years, 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 alcohol and any unprescribed controlled substances;

b. Respondent shall comply with all treatment recommendations of his primary care physician or such other qualified mental health professional, including the taking of medications as prescribed;

c. Respondent shall provide to his primary care physician or such other qualified mental health professional, 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 mental or emotional state or compliance with any established treatment plans;

d. Respondent shall notify the Administrator within fourteen (14) days of any change in treatment professionals;

e. 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;

f. Respondent shall participate in a 12-step program such as Alcoholics Anonymous and/or the Lawyers' Assistance Program, 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 the quarterly reports referred to in subparagraph (j) below;

g. 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 or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

h. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage;

i. 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;

j. 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;

k. Respondent shall notify the Administrator within fourteen (14) days of any change of address;

l. 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;

m. 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;

n. 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;

o. The conditions of probation shall commence upon the effective date of the order imposing discipline, other than the identification of his 12-step sponsor as provided in subparagraph (g), above, and 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 terms of probation have been violated; and

p. If respondent successfully completes the term of his probation, the probation shall terminate without further order of the Court.

Order entered by the Court.

M.R.26297 - In re: Gene Kenneth Edlin. 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 Gene Kenneth Edlin is suspended from the practice of law for ninety (90) days.

Suspension effective December 11, 2013.

Respondent Gene Kenneth Edlin 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.26302 - In re: James Merle Childs, 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 Review Board is allowed, and respondent James Merle Childs, Jr., 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.26304 - In re: Roy Austin Petty. 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 Roy Austin Petty is suspended from the practice of law for thirty (30) days.

Suspension effective December 11, 2013.

Respondent Roy Austin Petty 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.26310 - In re: Kathleen Irene Niew. 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 Kathleen Irene Niew is disbarred.

Order entered by the Court.

M.R.26313 - In re: Alvin George Brooks, Jr. 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 Alvin George Brooks, Jr., is suspended from the practice of law for one (1) year.

Respondent's suspension in the instant case shall run consecutively to the discipline imposed upon respondent by order on September 25, 2013, in case No. M.R. 26109, suspending respondent for five (5) months, effective October 16, 2013, and until he pays restitution in the amount of \$5,000 to Aurora Ocampo and Martina Altamirano and until he successfully completes the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Respondent Alvin George Brooks, Jr., 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.26331 - In re: Herbert Arthur Bates. Disciplinary Commission.

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 Herbert Arthur Bates is suspended from the practice of law for eighteen (18) months and until further order of the Court.

Order entered by the Court.

M.R.26334 - In re: Robert James Kennedy. 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 Robert James Kennedy is suspended from the practice of law for thirty (30) days and required to successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar.

Respondent's suspension in the instant case shall run consecutively to the discipline imposed upon respondent by order on March 19, 2012, in case No. M.R. 25070, suspending respondent for one (1) year, effective April 9, 2012, and until he pays restitution to HPR Development Company in the amount of \$6,584.62 with interest compounded annually at the rate applied to judgments, commencing December 31, 2008.

Respondent Robert James Kennedy 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.26337 - In re: Robert A. Huff. Disciplinary Commission.

The petitions by the Administrator of the Attorney Registration and Disciplinary Commission and respondent Robert A. Huff for leave to file exceptions to the report and recommendation of the Review Board are allowed. Respondent is disbarred.

Order entered by the Court.

M.R.26340 - In re: Timothy Kurt Liou. Disciplinary Commission.

The motion by Timothy Kurt Liou to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.26342 - In re: Neil Phillip Gantz. 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 Neil Phillip Gantz is suspended from the practice of law for three (3) months.

Suspension effective December 11, 2013.

Respondent Neil Phillip Gantz 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.26343 - In re: Wanda Marie Rodgers-Hayes. 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 Wanda Marie Rodgers-Hayes is suspended from the practice of law for ninety (90) days and until she pays restitution to Dawn Williams in the amount of \$9,227.

Suspension effective December 11, 2013.

Respondent Wanda Marie Rodgers-Hayes 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.26353 - In re: Karris A. Bilal. Disciplinary Commission.

The petition by respondent Karris A. Bilal for leave to file exceptions to the report and recommendation of the Review Board is denied. Respondent is disbarred, as recommended by the Review Board.

Order entered by the Court.

M.R.26361 - In re: Irwin Elliot Leiter. 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 Irwin Elliot Leiter is suspended from the practice of law for three (3) years and until further order of the Court.

Order entered by the Court.