

PUBLIC DISCIPLINE

Dec. 18, 2010, through Feb. 18, 2011

LUZERNE COUNTY

The Supreme Court on Jan. 19 ordered **James D. Hayward Jr.** suspended for one year and one day, as recommended by the Disciplinary Board. The disciplinary report said, “The record demonstrates that [Hayward] incompetently and neglectfully represented [a client] in her

Chapter 7 bankruptcy in that he failed to communicate the basis or rate of his fee in writing, failed to promptly deposit the monies he was paid into an IOLTA account, failed to pay the filing fee, ... misrepresented to the bankruptcy court that [the client] could not pay the filing fee except by installments and failed to advise [the client] that he had not paid the filing fee and that if it was not paid her case would be dismissed, which indeed was what occurred.” The report said Hayward also failed to advise the client of the dismissal and failed to provide an accounting and a refund.

PHILADELPHIA

The Supreme Court on Dec. 21 ordered **Ann-Marie MacDonald Pahides** suspended on consent for one year and one day, as recommended by a three-member

panel of the Disciplinary Board. According to the joint petition in support of discipline, Pahides’ “misconduct can best be characterized as involving incompetence, neglect, lack of communication and failure to return unearned fees and return documents. In two client matters, [she] failed to provide fee agreements, failed to deposit advance payment of fees in a trust account and made misrepresentations.”

The court on Jan. 31 ordered **Steven M. Stein** suspended for one year, stayed the suspension and placed him on probation for one year, subject to his providing quarterly reports on the maintenance of his IOLTA account, as recommended by a three-member panel of the Disciplinary Board. According to the joint petition in support of discipline, Stein failed to pay \$750 he owed to a Florida lawyer for a

LAWYERS CONCERNED FOR LAWYERS OF PENNSYLVANIA, INC.

Three-Minute Quiz on Alcohol & Drugs

Look for the symptoms you are experiencing in the list below and check those that apply.

- Have you ever felt you should cut down on your drinking and/or drug use?
- Have people annoyed you by criticizing your drinking and/or drug use?
- Have you ever felt guilty about your drinking and/or drug use?
- Have you ever had a drink or other drug upon rising to steady your nerves or get rid of a hangover?
- Have you ever broken a promise to reduce your drinking and/or drug use or to quit altogether?
- Has drinking and/or the use of other drugs interfered with your work, relationships or other commitments?
- Have you ever lied to cover up your drinking and/or drug use?
- Are you drinking and/or using drugs during the workday?
- Are you coming to work after a long night of drinking and/or using drugs and then counting the hours until the end of the workday to have a drink and/or use drugs again?

Exhibiting three or more of these symptoms suggests that you may have a problem with alcohol and/or drugs.

LAWYERS' CONFIDENTIAL HELPLINE 1-888-999-1941 | SEVEN DAYS A WEEK | 24 HOURS A DAY | HOLIDAYS

FIND MORE THREE-MINUTE QUIZZES ON THE LCL WEBSITE, WWW.LCLPA.ORG.

client matter and failed to hold the fee for the matter in an escrow account. The petition also said Stein made “repeated misrepresentations” to the Office of Disciplinary Counsel and the Florida bar about the issue.

RECIPROCAL DISCIPLINE

The Pennsylvania Supreme Court has imposed reciprocal discipline on the following attorneys: **Glenn B. Allyn**, Elmsford, N.Y., disbarred, on Dec. 21, for like discipline imposed by the Supreme Court of the State of New York, Appellate Division, Second Judicial Department; **Hal Jonathan Shaffer**, Mt. Laurel, N.J., disbarred, on Dec. 28, for like discipline imposed by the Supreme Court of New Jersey; **James Matthew Kernan**, Oriskany, N.Y., suspended, on Dec. 28, for like discipline imposed by the Supreme Court of New York, Appellate Division, Fourth Judicial Department; **G. Jeffrey Moeller**, McAfee, N.J., suspended for three months, on Jan. 19, for like discipline imposed by the Supreme Court of New Jersey; and **Mohamed Sadu Bah**, Washington, D.C., suspended for 30 days, with the suspension stayed, followed by one year of supervised probation, with conditions, on Jan. 19, for like discipline imposed by the District of Columbia Court of Appeals.

DISBARMENT ON CONSENT

The following attorney has been disbarred on consent under a rule of disciplinary enforcement pertaining to resignations by attorneys who are being investigated for allegations of misconduct: **Daniel J. Sporrer**, Allegheny County, on Dec. 21.

TEMPORARY SUSPENSION — RULE 208(f)

The following attorneys have been placed on emergency temporary suspension under a rule of disciplinary enforcement pertaining to attorneys whose continued practice would cause substantial public or private harm because of the misappropriation of funds or other egregious conduct: **Timothy John Lucas**, Erie County, on

Dec. 28, and **Harry V. Cardoni**, Luzerne County, on Dec. 28.

TEMPORARY SUSPENSION — RULE 214(d)(1)

The following attorneys have been placed on temporary suspension under a rule of disciplinary enforcement pertaining to attorneys convicted of serious crimes: **Randall J. Sommovilla**, Philadelphia, on Jan. 31, and **Robert Neil Wilkey**, Chester County, on Feb. 17.

TRANSFERS TO INACTIVE STATUS Dec. 18, 2010, through Feb. 18, 2011

The following attorneys have been transferred to inactive status in connection with a rule of disciplinary enforcement pertaining to respondents in disciplinary proceedings who are suffering from a disability and are unable to prepare an adequate defense: **David Eugene Alberts**, Piscataway, N.J., on Dec. 28, and **Ronald L. Russell**, Westmoreland County, on Feb. 17.

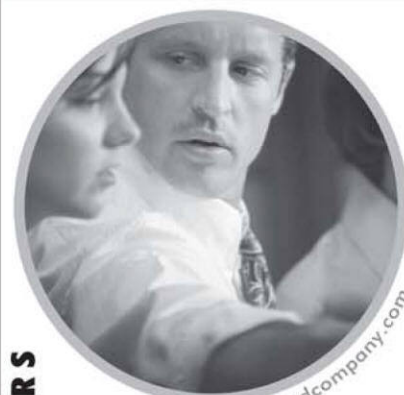
The following attorney has been transferred to inactive status in connection with a rule of disciplinary enforcement pertaining to attorneys who have been judicially declared incapacitated or involuntarily committed on the grounds of incapacity or severe mental disability: **Antonia S. Bevis**, Wilmington, Del., on Feb. 17, for like transfer ordered by the Supreme Court of the State of Delaware.

REINSTATEMENTS

Dec. 18, 2010, through Feb. 18, 2011

The Supreme Court on Feb. 17 ordered **Joseph A. Diorio**, Montgomery County, reinstated to practice from disability inactive status, as recommended by a majority of the Disciplinary Board. Diorio’s transfer to disability inactive status was originally ordered on Oct. 23, 2006. Two members of the Disciplinary Board dissented in favor of denial of reinstatement. ♦

NEED EXPERT CASE SUPPORT?



www.kernandcompany.com

ADVISORS

A PROVEN RESOURCE FOR:

FORENSIC ACCOUNTING
BUSINESS VALUATION
LITIGATION SUPPORT

Expert Witnesses
Experienced at Testimony
Published Authors
Full Certification

- In-house CVAs
(Certified Valuation Analysts)
- In-house CFAs
(Certified Fraud Auditors)



KERN AND COMPANY, PC
TIME TO CALL
717.763.0888
E-mail: kern@panetwork.com

ACCOUNTANTS AND BUSINESS