

## **ADMONITION NO. 06-01**

### **CLASSIFICATIONS:**

Knowing Failure to Respond to Demand for Information from Disciplinary Authority [Mass. R. Prof. C. 8.1(b)]

Failure to Cooperate in Bar Discipline Investigations [Mass. R. Prof. C. 8.4(g)]

### **SUMMARY:**

In 2002, the respondent was appointed as a co-administrator of two estates. In December 2004, the other co-administrator filed a grievance against the respondent alleging that the respondent had neglected the estates.

Bar counsel forwarded the grievance to the respondent and requested his reply. The respondent knowingly failed without good cause to reply to bar counsel's initial request and a follow-up letter requesting a response to the grievance.

Bar counsel requested that the Board of Bar Overseers issue a subpoena pursuant to S. J. C. Rule 4:01, § 22, requiring the respondent to appear at the Office of Bar Counsel on March 16, 2005. The board issued the subpoena, which was served on the respondent. The respondent knowingly failed without good cause to appear at the Office of Bar Counsel.

Bar counsel sought the respondent's administrative suspension in the Supreme Judicial Court for Suffolk County. On March 24, 2005, the respondent was administratively suspended for failure to respond to bar counsel's requests for information and to appear in response to the subpoena issued by the Board of Bar Overseers. On March 30, 2005, the respondent appeared at the Office of Bar Counsel and provided the requested information.

By knowingly failing without good cause to respond to bar counsel's requests for information and to comply with a subpoena issued by the Board of Bar Overseers, the respondent violated Mass. R. Prof. C. 8.1(b) and 8.4(g).

The respondent had no history of discipline. The respondent received an admonition for his misconduct.