

SUPREME COURT OF ILLINOIS

FRIDAY, SEPTEMBER 12, 2014

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.25693 - In re: Steven H. Sosman. 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. The petition of Steven H. Sosman for reinstatement to the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 767 is denied.

Order entered by the Court.

M.R.26695 - In re: Guy D. Geleerd, Jr. Disciplinary Commission.

The petition by respondent Guy D. Geleerd, Jr., for leave to file exceptions to the report and recommendation of the Review Board is denied. As recommended by the Review Board, respondent is suspended from the practice of law for one (1) year, with the suspension stayed after six (6) months by probation, subject to the following conditions:

a. Respondent shall establish and utilize a system for 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 by the Administrator, including:

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. Maintain a copy of each item deposited;

Account Disbursement Journal - List chronologically all trust account disbursements. 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 running balances. Prepare a separate page for each client matter and list 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; and

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 payment to other lawyers or non-employees for services rendered; and

Reconciliation - There must be a running balance maintained for all ledger 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. During the period of probation, respondent shall meet with the Administrator's representative on at least a quarterly basis and shall provide the Administrator with any and all documentation and records requested in order to verify his compliance with the conditions of his probation;

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

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

e. Prior to the end of the probation term, respondent shall attend and successfully complete the Attorney Registration and Disciplinary Commission Professionalism Seminar;

f. Respondent shall reimburse the Commission for 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;

g. 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; and

h. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The remaining six (6) month period of suspension shall commence on the date of the determination that any term of probation has been violated.

Suspension effective October 3, 2014.

Order entered by the Court.

M.R.26722 - In re: Lino John Menconi. Disciplinary Commission.
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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 Lino John Menconi is disbarred.

Order entered by the Court.

(26749) 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 Lino John Menconi is disbarred.

Order entered by the Court.

M.R.26728 - In re: Grant Dongjin Kang. Disciplinary Commission.

The motion by Grant Dongjin Kang 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.26733 - In re: Charles R. Garnati. 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 Charles R. Garnati is censured.

Order entered by the Court.

M.R.26737 - In re: Henry Elbert Graper 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 Henry Elbert Graper III, who has been disciplined in the State of Alaska, is suspended from the practice of law in the State of Illinois for three (3) years and until he is reinstated by the Supreme Court of Alaska.

Suspension effective October 3, 2014.

Respondent Henry Elbert Graper 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.

Order entered by the Court.

M.R.26738 - In re: Robert Little. 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 Robert Little, who has been disciplined in the State of California, is suspended from the practice of law in the State of Illinois for two (2) years and until he is reinstated by the Supreme Court of California.

Suspension effective October 3, 2014.

Respondent Robert Little 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.26750 - In re: Jeffrey S. Ryan. 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 Jeffrey S. Ryan, who has been disciplined in the State of Colorado, is suspended from the practice of law in the State of Illinois for nine (9) months and until he is reinstated in the State of Colorado.

Suspension effective October 3, 2014.

Respondent Jeffrey S. Ryan 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.26751 - In re: Jacqueline Elise Kalk. 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 Jacqueline Elise Kalk, who has been disciplined in the State of Minnesota, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.26752 - In re: Mary Albert-Fritz. 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 Mary Albert-Fritz, who has been disciplined in the State of Missouri, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.26753 - In re: John C. Torjesen. 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 John C. Torjesen, who has been disciplined in the State of California, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.26755 - In re: Thomas William Murphy. Disciplinary Commission.

The petition by respondent Thomas William Murphy 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.26756 - In re: Nicholas B. Carter. 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 Nicholas B. Carter, who has been disciplined in the State of Missouri, is suspended from the practice of law in the State of Illinois 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 conditions imposed upon him by the Supreme Court of Missouri.

Respondent Nicholas B. Carter 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.26757 - In re: Peter J. Kovac. 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 Peter J. Kovac, who has been disciplined in the State of Wisconsin, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.26759 - In re: Tina Marie Jacobs. 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 Tina Marie Jacobs is suspended from the practice of law for sixty (60) days.

Suspension effective October 3, 2014.

Respondent Tina Marie Jacobs 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.26766 - In re: David Michael Levin. Disciplinary Commission.

The petition by respondent David Michael Levin 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.26769 - In re: Clarence Contee Jones, 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 Clarence Contee Jones, Jr., who has been disciplined in the State of Washington, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.26777 - In re: Brian P. Lee. Disciplinary Commission.

The motion by Brian P. Lee 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.26778 - In re: James Geoffrey McGowan. Disciplinary Commission.

The motion by James Geoffrey McGowan 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.26783 - In re: Douglas W. Lohmar, 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 Douglas W. Lohmar, Jr., is censured.

Order entered by the Court.

M.R.26784 - In re: Thomas McGrath O'Connor. 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 Thomas McGrath O'Connor 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 alcohol and any unprescribed controlled substances;

b. Respondent shall comply with any and all treatment and continuing care recommendations of Gateway Foundation Chicago West treatment program;

c. Respondent shall provide the Administrator and Gateway Foundation Chicago West with an appropriate release, authorizing the treating professionals to: (1) disclose to the Administrator 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;

d. 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;

e. 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;

f. Respondent shall participate in Alcoholics Anonymous and/or the Illinois Lawyers Assistance Program by attending at least three (3) meetings a week. Respondent is to maintain a log of his attendance at the meetings and submit them to the Administrator with his quarterly reports;

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 72 hours of that usage;

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

i. 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;

j. 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. 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;

l. 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;

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

n. 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 ufo.

Order entered by the Court.

M.R.26785 - In re: Bernard James Conway. 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 Bernard James Conway 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.26794 - In re: James DiChristofano. 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 DiChristofano is suspended from the practice of law for thirty (30) days 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.

Suspension effective October 3, 2014.

Respondent James DiChristofano 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.26795 - In re: Alan Wadsworth Applebee. Disciplinary Commission.

The petitions by the Administrator of the Attorney Registration and Disciplinary Commission and respondent Alan Wadsworth Applebee for leave to file exceptions to the report and recommendation of the Review Board are denied. Respondent is suspended from the practice of law for four (4) months, as recommended by the Review Board.

Suspension effective October 3, 2014.

Respondent Alan Wadsworth Applebee 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.26820 - In re: Samuel Vazanellis. 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 Samuel Vazanellis is suspended from the practice of law for thirty (30) days.

Suspension effective October 3, 2014.

Respondent Samuel Vazanellis 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.26821 - In re: Paul M. Daugerdas. Disciplinary Commission.

The motion by Paul M. Daugerdas 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.26822 - In re: Keith Edward Frantz. Disciplinary Commission.

The petition by Keith Edward Frantz 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.26823 - In re: John Edward Farrell. 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 Edward Farrell 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.26824 - In re: Alan Kent Wittig. 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 Alan Kent Wittig, who has been disciplined in the State of Arizona, is reprimanded in the State of Illinois and placed on probation for a period of one (1) year, nunc pro tunc, subject to the conditions imposed upon respondent by the Supreme Court of Arizona.

Order entered by the Court.

M.R.26828 - In re: Kevin R. Peters. 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 Kevin R. Peters is suspended from the practice of law for thirty (30) days.

Suspension effective October 3, 2014.

Respondent Kevin R. Peters 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.26849 - In re: Michael J. Duval. 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 Michael J. Duval is suspended from the practice of law for two (2) years and until further order of the Court and until he pays restitution of unearned fees to Adrienne Jarrett, Anthony and Colleen Dardzinski, Wilbert Lacy, Kenton Frimel, Cassandra and Joshua Naese, Jerry and Laura Jensen, Travis and Jane McLin, Patricia Peters, and Adam and Tammy Brinkman.

Order entered by the Court.

M.R.26876 - In re: Tamara Ann Tanzillo. Disciplinary Commission.

The motion by respondent Tamara Ann Tanzillo for leave to file objections to publication of the Court's order is allowed.

Order entered by the Court.

Respondent Tamara Ann Tanzillo's objection to the publication of the Court's order is denied.

Order entered by the Court.

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. Respondent Tamara Ann Tanzillo is permitted to continue to practice law subject to the following conditions for one (1) year, pursuant to Supreme Court Rule 758:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. 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 she 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;

c. 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 her practice of law and the nature and extent of her compliance with the conditions of probation;

d. Respondent shall report to the Administrator any lapse in her sobriety or usage of any unprescribed controlled substances within 72 hours of that usage;

e. 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 her conduct;

f. 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 conditions;

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

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

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

j. The Administrator shall report to the Court any noncompliance by the respondent with any of the conditions imposed herein, and respondent's active status will be revoked if respondent is found to have violated any of the terms of her conditions.

Order entered by the Court.

M.R.26881 - In re: Carey Laurence Chickerneo. 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 Carey Laurence Chickerneo is suspended from the practice of law for five (5) months.

Suspension effective October 3, 2014.

Respondent Carey Laurence Chickerneo 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.26884 - In re: Norton Helton. Disciplinary Commission.

The motion by Norton Helton 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.