THIS REPORT IS NOT A FINAL ORDER OF DISCIPLINE*

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY
AD HOC HEARING COMMITTEE

FILED

Dec 4 2024 11:00am

Board on Professional Responsibility

In the Matter of:	:	
	:	
KEVIN J. MCCANTS,	:	
	:	Board Docket No. 23-BD-052
Respondent.	:	Disciplinary Docket No. 2023-D055
	:	
A Member of the Bar of the	:	
District of Columbia Court of Appeals	:	
(Bar Registration No. 493979)	:	

REPORT AND RECOMMENDATION OF THE AD HOC HEARING COMMITTEE

Disciplinary Counsel alleges that, when seeking to reactivate his membership in the bar of the United States District Court for the District of Maryland ("District of Maryland"), Respondent falsely denied that he had previously been disciplined by a court. In particular, Disciplinary Counsel alleges that Respondent was disciplined by the United States Court of Appeals for the District of Columbia Circuit ("D.C. Circuit") in 2015, by the District of Columbia Court of Appeals in 2019, and by the D.C. Circuit in 2021. Disciplinary Counsel further alleges that Respondent falsely denied those instances of discipline in connection with the reactivation requests he submitted to the District of Maryland in 2016, 2022, and 2023.

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* Consult the 'Disciplinary Decisions' tab on the Board on Professional Responsibility's website (www.dcattorneydiscipline.org) to view any subsequent decisions in this case.

Disciplinary Counsel asserts that by omitting this information from his 2016, 2022, and 2023 reactivation applications, Respondent violated four Maryland Attorneys' Rules of Professional Conduct ("Maryland Rule" or "Rule")): Rule 19-303.3(a)(1) (knowingly making a false statement of fact to a tribunal); Rule 19-308.1(a) (knowingly making a false statement in connection with a bar admission); Rule 19-308.4(c) (engaging in dishonesty); and Rule 19-308.4(d) (engaging in conduct prejudicial to the administration of justice). Disciplinary Counsel contends that as a result of the four alleged Rule violations, Respondent should be suspended for nine months with the requirement to prove his fitness to practice prior to reinstatement.

Respondent denies that he violated any Rules, and argues that any errors on his reactivation applications were mistakes, not knowing false statements.

As set forth below, the Hearing Committee finds that Disciplinary Counsel has proven all four Rule violations by clear and convincing evidence, and recommends to the Board that Respondent should be suspended from the practice of law for nine months with the requirement that he prove his fitness to practice prior to reinstatement.

PROCEDURAL HISTORY

On October 20, 2023, Disciplinary Counsel served Respondent with a Specification of Charges. Respondent filed his Answer on November 9, 2023. A hearing was held on February 28, 2024, before an Ad Hoc Hearing Committee (Dawn Murphy-Johnson, Esquire, Chair; George Hager, Public Member; and

Evelyn S. Tang, Esquire, Attorney Member). Disciplinary Counsel was represented by Assistant Disciplinary Counsel Traci M. Tait, Esquire. Respondent appeared at the hearing without counsel.

During the hearing, Disciplinary Counsel submitted exhibits DCX 1 through 13, which were admitted without objection.[1] Tr. 239. Disciplinary Counsel called as witnesses David Ciambruschini (the Chief Deputy Clerk in the Maryland federal court) and Respondent.

Respondent submitted exhibits RX 1 through 12. All of Respondent's exhibits were admitted into evidence without objection, subject to Respondent's agreement to redact all client information in RX 12. Tr. 240, 274-75.[2] Respondent did not call any witnesses.

Upon conclusion of the evidentiary portion of the hearing, the Hearing Committee made a preliminary non-binding determination that Disciplinary Counsel had proven at least one of the Rule violations set forth in the Specification of Charges. Tr. 270-71; *see* Board Rule 11.11. In the sanctions phase of the hearing,

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[1] "DCX" refers to Disciplinary Counsel's exhibits. "RX" refers to Respondent's exhibits. "Tr." refers to the transcript of the hearing held on February 28, 2024.

[2] At the end of the hearing, Respondent was ordered to file with the Office of the Executive Attorney his exhibit list and his exhibits (in PDF format, paginated, bookmarked, and redacted as necessary) within seven days. Tr. 270, 274-76. Respondent failed to do so. The Hearing Committee then ordered Respondent to comply no later than May 28, 2024; Respondent missed that deadline as well. The Hearing Committee set another deadline of August 12, and on August 13, Respondent submitted his exhibits to the Office of the Executive Attorney, but they were neither redacted nor labeled clearly.

Disciplinary Counsel referred the Hearing Committee to Respondent's prior discipline, which had been disclosed during the first phase of the hearing due to the nature of the charges. Tr. 271. Respondent offered no evidence in mitigation of sanction. *See* Tr. 273.

The parties filed post-hearing briefs.[3]

FINDINGS OF FACT

The following findings of fact are based on the testimony and documentary evidence submitted at the hearing, and these findings of fact are established by clear and convincing evidence. *See* Board Rule 11.6; *In re Cater*, 887 A.2d 1, 24 (D.C. 2005) ("[C]lear and convincing evidence" is more than a preponderance of the evidence, it is "evidence that will produce in the mind of the trier of fact a firm belief or conviction as to the facts sought to be established" (citation omitted)).

1. Respondent is a member of the Bar of the District of Columbia Court of Appeals. He was admitted on September 9, 2005, and assigned Bar number 493979. DCX 1.

[3] The Hearing Committee's post-hearing briefing order directed the parties to include in their briefs detailed legal argument and required that any factual assertions be supported by specific references to the parts of the record supporting the assertion. Respondent's brief contains no legal argument, and only one citation to the record. The bulk of Respondent's response to Disciplinary Counsel's proposed findings of fact attempts to refute the facts asserted, without reference to supporting evidence admitted during the hearing. As such, Respondent's brief was of limited use to the Hearing Committee.

2. Respondent is a member of the bars of some federal courts, including the D.C. Circuit (*see* DCX 5 at 1-2), and the District of Maryland (DCX 11 at 2-3; Tr. 39, 105-06 (Ciambruschini)).

3. Respondent was admitted to the District of Maryland following his application in 2009. DCX 11 at 2-4.

A. Respondent's 2015 Discipline by the D.C. Circuit

4. In 2015, the D.C. Circuit publicly reprimanded Respondent for violating multiple District of Columbia Rules of Professional Conduct ("D.C. Rules"). DCX 5 (*In re Sealed Case*, No. 11-8517, slip op. (D.C. Cir. July 21, 2015)). The court concluded that Respondent represented a client incompetently in violation of D.C. Rule 1.1; failed to abide by his client's decisions concerning the representation's objectives or how they were to be pursued, or failed to take action on his client's behalf as impliedly authorized in violation of D.C. Rule 1.2; failed to represent his client with diligence, zeal, and reasonable promptness, or to seek his client's lawful objectives in violation of D.C. Rule 1.3; and failed to communicate with his client in violation of D.C. Rule 1.4(a). DCX 5 at 1.

5. Respondent's public reprimand from the D.C. Circuit constitutes discipline by a court.

B. Respondent's Failure to Disclose His 2015 Discipline to the United States District Court for the District of Maryland in 2016

6. By 2016, Respondent's District of Maryland bar membership had lapsed, and he submitted an application to be readmitted. *See* Tr. 43, 56 (Ciambruschini); DCX 11 at 5-6.

7. The reactivation application contains a background questionnaire that requires applicants to answer questions about their disciplinary history. The questionnaire includes the following instructions:

> **If you answer yes to any of these questions and have not previously disclosed this information to this Court,** you must submit a statement under the penalty of perjury stating the relevant facts, court, charge, date, whether the occurrence was disclosed to the highest court of the state(s) in which you are admitted, whether the occurrence was previously disclosed to this Court, disposition, whether the occurrence was an isolated incident, and any other facts you deem relevant. The Court may confirm the accuracy of any submitted information by conferring with the appropriate court or bar authority, if applicable. **If you have previously disclosed this information to this Court, please provide only the date of disclosure.**

DCX 11 at 5, 7, 19 (emphasis in original).

8. On his 2016 reactivation application, Respondent falsely answered the application's question about his disciplinary history. In response to Question 2a, which asked whether he had been disciplined by any court, Respondent answered "NO." DCX 11 at 5; *see* Tr. 63-64, 73 (Ciambruschini).

2a. Have you been denied admission to practice, disbarred, suspended from practice, or disciplined by any court or bar authority?

☐ YES (answer 2b) ☒ NO (skip to 3) If previously disclosed to this Court, date disclosed: ______________

9. In fact, Respondent had been disciplined by the D.C. Circuit a year earlier, in 2015. DCX 5 at 1. He was aware of the reprimand. *See* Tr. 26 (Respondent's opening statement). In addition to answering the question falsely,

Respondent did not submit a statement providing the relevant details of his discipline as the instructions required. *See* DCX 11 at 5-6.

10. The court apparently accepted his 2016 application and readmitted Respondent to the District of Maryland. *See* DCX 11 at 5-9; Tr. 43, 59-61 (Ciambruschini); Tr. 183 (Respondent).

C. Respondent's 2019 Discipline by the District of Columbia Court of Appeals and 2021 Discipline by the D.C. Circuit

11. In 2019, Respondent was suspended by the D.C. Court of Appeals for 90 days (stayed in favor of one year of unsupervised probation with conditions) for violating D.C. Rules 1.4(a) and (b), 1.5(b), 1.15(a), and 1.16(d). *In re McCants*, 208 A.3d 733, 734 (D.C. 2019) (per curiam); DCX 6 at 1-3; Tr. 79 (Ciambruschini).

12. Respondent had admitted these rule violations and agreed to the sanction in a petition for negotiated discipline and an accompanying affidavit. DCX 6 at 24-34 (petition), 35-38 (affidavit); *see also* DCX 6 at 9, 15 (Hearing Committee Report ¶¶ 4, 12, citing Respondent's testimony). Respondent also had agreed that his prior discipline "in the form of a public reprimand by the United States District Court for the District of Columbia for similar misconduct" was an aggravating factor. *Id.* at 16 ¶ 13. One condition of his unsupervised probation was that if Respondent failed to successfully complete his probation, he would have to demonstrate his fitness before he could resume the practice of law. *Id.* at 8, 16, 23; 208 A.3d at 734.

13. The D.C. Court of Appeals' order approving the negotiated discipline constitutes discipline by a court.

14. In January 2021, the D.C. Circuit entered an order imposing the same discipline for the same conduct on a reciprocal basis. DCX 7 (*In re McCants*, No. 20-8512, slip op. (D.C. Cir. Jan. 22, 2021)). The D.C. Circuit's discipline ran *nunc pro tunc* to the original suspension date.

15. The D.C. Circuit's reciprocal discipline constitutes discipline by a court.

D. Respondent's 2022 Unsigned Application to the District of Maryland to Reactivate His Membership in the Bar of That Court

16. In 2022, Disciplinary Counsel filed a Specification of Charges asserting that Respondent had violated the D.C. Rules with respect to a representation in 2019 (unrelated to his prior discipline). *See* DCX 11 at 10-13. Respondent filed an Answer in September 2022. *Id.* at 14-18.

17. Around the same time, Respondent's admission to the District of Maryland had again lapsed, and in late September, he once more applied for reactivation. *Id.* at 7-9; Tr. 57-58 (Ciambruschini). This application was ultimately rejected because Respondent had not signed it. DCX 11 at 8; Tr. 59-60 (Ciambruschini).

18. In the application, Respondent correctly answered "YES" to Question 1 of the background questionnaire, which asked whether there were "any disciplinary proceedings pending against [him]." DCX 11 at 7.

19. He also included a sworn statement in which he disputed the pending charges and attached the Specification of Charges and his Answer in the matter. *Id.* at 9-18; Tr. 59-60 (Ciambruschini).

20. Respondent also correctly answered "YES" to Question 2a, acknowledging that he had been either denied admission, disbarred, suspended, or disciplined by a court:

2a. Have you been denied admission to practice, disbarred, suspended from practice, or disciplined by any court or bar authority, other than administrative suspensions for non-payment of bar dues?

■ YES (answer 2b) ☐ NO (skip to 3) If previously disclosed to this Court, date disclosed: 5/2019 (1 yr probation).

DCX 11 at 7. But he did not include on his application, or in the sworn statement appended to his application, any details about his prior discipline, such as "the relevant facts, court, charge, [and] date" of the discipline. *See id.* at 7, 9. A truthful statement would have provided those details for the 2015 discipline by the D.C. Circuit, the 2019 discipline by the D.C. Court of Appeals, and the 2021 reciprocal discipline by the D.C. Circuit.

21. Rather than disclose any of that information, Respondent added text to a space following Question 2a where attorneys who have "previously disclosed" discipline to the District of Maryland are directed to include the date of such disclosure. *See id.* at 7; *see* Tr. 66-67 (Ciambruschini). The space is consistent with the instructions to the background questionnaire, which state: "If you have previously disclosed this information to this Court, please provide only the date of disclosure." DCX 11 at 7.

22. Although he had never disclosed any discipline to the District of Maryland, Respondent wrote: "5/2019 (1 yr probation)" in the space provided for the date of a prior disclosure. *Id.* at 7. That response was false.

23. Moreover, if Respondent intended to disclose to the District of Maryland his May 2019 suspension by the D.C. Court of Appeals, writing "5/2019 (1 yr probation)" on the form was not sufficient to do so. Respondent did not disclose to the court the underlying facts, the charge, that he had been suspended, that the suspension was stayed in favor of probation, or that the probation was contingent on conditions. *See id.* at 7-18; Tr. 68-71 (Ciambruschini).

24. Nor did the sworn statement Respondent appended to his application disclose any of his other discipline. *See* DCX 11 at 9-18. The statement and its attachments concerned only the charges that were then pending; it did not mention the D.C. Circuit's 2015 public reprimand, the D.C. Court of Appeals' 2019 stayed suspension, or the D.C. Circuit's 2021 reciprocal discipline. *See id.*

E. Respondent's Failure to Disclose His Discipline to the District of Maryland in 2023

25. In February 2023 (after Respondent's unsigned application was rejected, *see supra* FF[4] 17), Respondent submitted to the District of Maryland another application for reactivation. DCX 11 at 19-20.

26. This time, he falsely denied both that there were any pending disciplinary proceedings against him and that he had previously been disciplined:

1. Are there any disciplinary proceedings pending against you?

☐ YES ■ NO If previously disclosed to this Court, date disclosed: ________________

2a. Have you been denied admission to practice, disbarred, suspended from practice, or disciplined by any court or bar authority, other than administrative suspensions for non-payment of bar dues?

☐ YES (answer 2b) ■ NO (skip to 3) If previously disclosed to this Court, date disclosed: ________________

[4] "FF" refers to the numbered Findings of Fact in this Report.

Id. at 19; *see* Tr. 71 (Ciambruschini). Respondent attached to his application a hearing committee order scheduling post-hearing briefing in the 2022 disciplinary matter. DCX 11 at 21-23; Tr. 42, 72-73 (Ciambruschini).

27. Respondent's representation that there were no disciplinary proceedings pending against him was false. The 2022 matter was very much still pending against Respondent. *See* DCX 11 at 21-23. Although the hearing committee in the 2022 matter had made "a preliminary, non-binding" determination that no violation was proved, the matter was still being briefed, the hearing committee's eventual report would still be subject to exceptions by either party, briefing and argument before the Board on Professional Responsibility, and perhaps further review by the D.C. Court of Appeals. *Id.* at 21; *see also* Board Rules 11.11, 12.2, 13.7.

28. Respondent's denial that he had been "disciplined by any court" was also false. Again, Respondent had been disciplined by the D.C. Circuit in 2015, the D.C. Court of Appeals in 2019, and by the D.C. Circuit in 2021. DCX 5; DCX 6; DCX 7.

F. When the District of Maryland Reactivated Respondent's Bar Membership, It Was Not Aware of Some of Respondent's Discipline or the Extent of the Discipline That Respondent Had Disclosed

29. Respondent's 2016 and 2023 applications were both signed under penalty of perjury and Respondent averred that the information he provided was true and accurate. DCX 11 at 6, 20.

30. The District of Maryland expected Respondent's answers to be "complete[ly] truthful[]." Tr. 99-100 (Ciambruschini).

31. The District of Maryland values this information in order to determine whether an applicant is qualified for admission to practice before it. Tr. 62-63, 98 (Ciambruschini).

32. Respondent never disclosed on any application to the District of Maryland the detailed information it required about any of his prior discipline. *See* Tr. 102-03 (Ciambruschini); *see also* Tr. 66-78, 84-91 (Ciambruschini). *See generally* DCX 11.

33. In July 2023, the District of Maryland readmitted Respondent to practice without having received information regarding the full extent of Respondent's discipline or details regarding the breadth of his misconduct. Tr. 87-90, 100-03 (Ciambruschini).

G. Respondent's Testimony Was Not Credible

34. Respondent's testimony before this Hearing Committee was evasive, inconsistent, and frequently false.

35. As discussed above, Question 2a on the District of Maryland's reactivation application asks whether the attorney-applicant has been (1) denied admission to practice, (2) disbarred, (3) suspended from practice, or (4) disciplined by any court or bar authority. *E.g.*, DCX 11 at 5; *see supra* FF 8, 20.

36. In his testimony at the hearing, Respondent initially claimed that the question itself was ambiguous. *See, e.g.*, Tr. 217-18 (Respondent). He testified that

Question 2a was open to "interpret[ation]" and that the correct answer "depend[ed] on how you interpret[ed] it." Tr. 236 (Respondent). Respondent asserted, implausibly, that despite its clear language, Question 2a asked merely whether he had been "denied admission, disbarred or suspended" (*i.e.*, subparts (1) through (3)). *Id*. Respondent repeatedly claimed to believe that subpart (4) – asking whether he had otherwise been "disciplined by any court or bar authority" – was superfluous. *See* Tr. 217-18 (Respondent: "I was never disbarred, suspended from practice. Disciplined, yeah, but no discipline that ever led to a disbarment or suspension."); Tr. 218 (Respondent testifying he thought that Question 2a addressed only disbarment and suspension and that he "didn't know" the question also asked about other discipline by a court); Tr. 254-55 (Respondent: "I kind of looked at . . . the purpose [of the question]. And the first part of it was denied to practice, unable, suspended, disbarred."); Tr. 264 (Respondent: "Yes, there's an 'or' at the end, but the question there . . . centered on [whether you were] ever ineligible to go in a courtroom."). Respondent provided no evidence to support his purported subjective belief that subpart (4) of Question 2a was superfluous, nor did he explain why reading subpart (4) out of Question 2a would be objectively reasonable to an attorney in his position.

37. Then, Respondent was largely evasive and inconsistent about whether he had, in fact, been "disciplined" by a court and whether he had, in fact, disclosed any such discipline to the District of Maryland in connection with his applications to reactivate his bar membership. Each of the three instances of discipline at issue in

this matter is discussed, in turn, below, in terms of Respondent's testimony concerning whether each instance constituted "discipline" and his testimony concerning whether he disclosed each instance of discipline to the District of Maryland.

38. **2015 Public Reprimand by the D.C. Circuit.** Although Respondent admitted that the D.C. Circuit had publicly reprimanded him in 2015, Tr. 198-99 (Respondent), he maintained that he did not know at the time he submitted his 2016 reactivation application to the District of Maryland that a public reprimand constituted "discipline" as that term is used by that court. Resp. Br. at 7; *see* Tr. 171-74, 202 (Respondent). Respondent's testimony that he did not know that a public reprimand constituted "discipline" was not credible.

39. By the time Respondent submitted his 2016 application for reactivation, he had been a licensed attorney for approximately 11 years. Respondent offered nothing to support his claim that he subjectively believed at that point in his career – almost decade into his practice as a trial attorney and advocate in federal district and appellate courts in complex matters – that a public reprimand did not constitute "discipline." Further, he offered no evidence that a reasonable attorney in his position would objectively believe as much.

40. The testimony that Respondent *did* provide further undermined his credibility. Instead of explaining the basis for his purported belief, Respondent implicitly challenged whether the underlying client representation should have led to a reprimand in the first instance. *See generally* Tr. 185-199 (Respondent). He

impugned his client. *See* Tr. 26 (Respondent arguing in his opening statement that his client lied "about everything we talked about" and was "difficult"); Tr. 194 (Respondent testifying that his client "couldn't get along with nobody"); Tr. 197-98 (Respondent describing breakdown of communications); Tr. 199 (Respondent stating that client was "playing games"). And he blamed his workload at the time. *See* Tr. 24 (Respondent: "'I'm doing a conspiracy case with over 100,000 documents that's in District Court in Baltimore.' And I'm driving every day from Southern Maryland."); Tr. 199 (similar). He took the same approach in his post-hearing brief. *See* Resp. Br. at 6-7.

41. Respondent also resisted or refused to concede mundane matters such as whether the D.C. Circuit found the facts or reached the conclusions set forth in its public reprimand. *See* Tr. 186-193 (Respondent). For example, Respondent engaged in a semantic debate concerning the difference between, on the one hand, a failure to represent a client competently and being characterized as "incompetent," on the other. Tr. 191-93 (Respondent); Resp. Br. at 7-8.

42. Respondent's testimony that he disclosed his 2015 public reprimand by the D.C. Circuit (which he often refers to as "the 2011 reprimand") was false. He testified: "The 2011 with that disclosed, and I didn't, you know -- it was the 2011 reprimand that I had disclosed on the application when it came up." Tr. 145 (Respondent). And: "The 2011 admonishment letter from the U.S. Court of Appeals in D.C. had been disclosed. It was noted on my bar membership and Maryland

renewal application." Tr. 171-72 (Respondent); *see also* Tr. 199-201 (Respondent). In fact, none of Respondent's applications disclosed that information. *See* DCX 11.

43. Later, Respondent's testimony shifted. Respondent stated that he had not, in fact, disclosed the 2015 public reprimand because the District of Maryland already knew about it. Tr. 201 (Respondent). In his post-hearing brief, Respondent changed his approach yet again. Instead of claiming that he had disclosed the requisite information or that the District of Maryland knew about it already, he asserted that because the Order he received from the D.C. Circuit was stamped "sealed" he did not believe he was allowed to discuss it with anyone. Resp. Br. at 7. Respondent's inconsistency further undermines his credibility.

44. **2019 Stayed Suspension by the D.C. Court of Appeals.** Respondent admitted he had been disciplined in connection with the D.C. Court of Appeals' conclusion that he violated D.C. Rules 1.4(a) and (b), 1.5(b), 1.15(a), and 1.16(d), and he testified that he took responsibility by agreeing to a negotiated disposition imposing a 90-day suspension stayed in favor of one year of unsupervised probation. Tr. 201-02, 210 (Respondent). That said, Respondent again offered excuses, Tr. 203-211 (Respondent); again implied that the underlying circumstances should not have led to disciplinary action, *see* Tr. 26-31 (Respondent's opening statement); and blamed Disciplinary Counsel for purportedly advising him to enter into the negotiated agreement. Tr. 203-05 (Respondent).

45. Regardless, Respondent's assertions that he disclosed to the District of Maryland his 2019 stayed suspension by the D.C. Court of Appeals were false. None

of his applications reflected that he did so. *See, e.g.*, DCX 11; Tr. 216-221 (Respondent); *supra* FF 22-23.

46. The Hearing Committee rejects Respondent's claim that he did not need to disclose the D.C. Court of Appeals' stayed suspension because the District of Maryland already knew about it. *See, e.g.*, Tr. 145, 178-79, 199, 200-01, 218, 221, 222-23, 254-56, 265 (Respondent). According to Respondent, District of Maryland Judge Paula Xinis was aware of the 2019 stayed suspension. *See, e.g.*, Tr. 33-36 (Respondent's opening statement); Tr. 218, 256-57 (Respondent). Whether one member of that court was aware of Respondent's 2019 discipline, the court's application for reactivation requires full disclosure. As Disciplinary Counsel argued at the hearing, "the form does not say if you've already told us, you don't have to tell us again. What the form says is if you've already told us, please remind us and give us the date when you told us." Tr. 259 (Assistant Disciplinary Counsel's closing statement).

47. **2021 Reciprocal Suspension by the D.C. Circuit.** When it came to the third (and final) disciplinary action at issue in this matter, during the hearing Respondent admitted that the D.C. Circuit had suspended him on a reciprocal basis, but (as with the D.C. Circuit's 2015 public reprimand) he claimed that the reciprocal suspension was not "discipline," Tr. 141-42 (Respondent), going so far as to deny that an order stating he was "suspended from the practice of law before the United States Court of Appeals for the District of Columbia Circuit for 90 days" meant not that he had been suspended but, instead, was a "pat[] on the back." Tr. 225-28

(Respondent); *see* Tr. 223-24 (Respondent). In his post-hearing brief, Respondent claimed that the D.C. Circuit merely "discharged" its earlier show-cause order and "note[d] reciprocal discipline." Resp. Br. at 9.

48. Respondent's testimony that a reciprocal suspension did not constitute "discipline" was not credible. First, his position is contradicted by the plain language of the court's Order. To be sure, one paragraph of the Order discharges its earlier show-cause order. DCX 7. The Order goes on to state, however, that Respondent is "*suspended* from the practice of law . . . on the same terms and conditions imposed by the District of Columbia Court of Appeals." *Id.* (emphasis added). Moreover, when the D.C. Circuit issued its reciprocal suspension in 2021, Respondent had been engaged in the practice of law for over 16 years and had been involved in at least two other disciplinary matters (*i.e.*, the 2015 public reprimand and the 2019 stayed suspension). It is inconceivable that, at that stage of his career, Respondent believed a suspension of any sort – reciprocal or not – did not constitute "discipline."

49. Respondent's testimony that he disclosed his 2021 reciprocal suspension to the District of Maryland was false. He testified: "I told them all about this. . . . and I put the attachment right there with a copy of that." Tr. 172-73 (Respondent). In fact, Respondent did not disclose the reciprocal discipline on any of his applications. *See* DCX 11.

50. On the whole, Respondent's testimony reflects an attempt to avoid responsibility for his own false statements and his failure to comply with the District of Maryland's clear and unambiguous requirement for "complete truthfulness" in its

applications for reactivation. Tr. 99-100 (Ciambruschini); *see, e.g.*, Tr. 222, 231-36 (Respondent). Respondent still contends that he did nothing wrong. Tr. 147 (Respondent: "I don't feel like I did anything wrong."); Tr. 155-56 (Respondent: "But I didn't think I was doing anything wrong. . . . I wanted you to know I'm not doing anything wrong.").

51. Although the District of Maryland learned about some of Respondent's discipline, it was unaware of its breadth before it reactivated his membership because Respondent had failed to disclose the required information. Tr. 90-91, 103 (Ciambruschini).

CONCLUSIONS OF LAW

A. Choice of Law

D.C. Rule 8.5 addresses the issue of choice of law. It provides that

> For conduct in connection with a matter pending before a tribunal, the rules to be applied shall be the rules of the jurisdiction in which the tribunal sits, unless the rules of the tribunal provide otherwise.

D.C. Rule 8.5(b)(1). The conduct at issue occurred in connection with Respondent's applications to reactivate his license to practice law in the District of Maryland. The Maryland Rules apply to proceedings before that court. *See* D. Md. Loc. R. 704 (Maryland Rules apply in Maryland federal district court). Thus, we apply the Maryland Rules here.

B. Disciplinary Counsel Proved by Clear and Convincing Evidence that Respondent Violated Maryland Rule 19-303.3(a)(1).

Maryland Rule 3.3 addresses candor to the tribunal, and subsection (a)(1) provides that: "[a]n attorney shall not knowingly . . . make a false statement of fact

or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the attorney[.]" A material fact includes "information that may influence the assessment of the applicant's fitness to practice law." *Attorney Grievance Comm'n v. Van Dusen*, 116 A.3d 1013, 1021 (Md. 2015). "'Knowingly' . . . denotes actual knowledge of the fact in question. A person's knowledge may be inferred from circumstances." Maryland Rule 1.1(h). Comment [3] to Rule 3.3 explains that "an assertion purporting to be on the attorney's own knowledge, as in an affidavit by the attorney . . . may properly be made only when the attorney knows the assertion is true or believes it to be true on the basis of a reasonably diligent inquiry," and that "[t]here are circumstances where failure to make a disclosure" in an affidavit "is the equivalent of an affirmative misrepresentation."[5]

Comment [1] suggests that the Rule may be limited to "the conduct of an attorney who is representing a client in the proceedings of a tribunal." However, Rule 3.3(a)(1) has been applied to lawyers who were not acting in a representative

[5] Disciplinary Counsel argues that "[t]he Maryland Supreme Court has held that a materially false statement in a bar application made with 'reckless indifference' is 'the legal equivalent of deliberate' even if the statement is 'not intentional.'" ODC Br. at 19-20 (quoting *Attorney Grievance Comm'n v. Rosen*, 492 A.2d 289, 289 (Md. 1985)). However, Disciplinary Counsel cites to the conclusion of the Circuit Judge who tried the disciplinary matter and found that the respondent's statement was made with such reckless indifference as to constitute "the legal equivalent of deliberate." As discussed elsewhere in that opinion, the charges against the respondent were dismissed, and he was allowed to resign from the Maryland Bar. *Id.* at 290. We thus consider only whether Disciplinary Counsel proved a "knowing" false statement, not whether Disciplinary Counsel proved a false statement made with "reckless indifference."

capacity. *See Attorney Grievance Comm'n v. Joseph*, 31 A.3d 137, 146, 154-55 (Md. 2011) (misrepresentation of residency status in pro hac vice applications violated Rule 3.3(a)(1)); *Attorney Grievance Comm'n v. Butler*, 172 A.3d 486, 493 (Md. 2017) (false testimony at attorney's own, prior disciplinary hearing violated Rule 3.3(a)(1)); *In re Tun*, 286 A.3d 538, 541-43 (D.C. 2022) (failing to disclose prior discipline on Maryland federal court renewal applications violated Maryland Rule 3.3(a)(1)).

Disciplinary Counsel argues that Respondent's prior discipline was material to his reactivation applications, and that he knowingly failed to disclose it. Respondent did not address any specific Rule violation, and argued generally that that he never intended to provide false information on his applications.

The Hearing Committee agrees with Disciplinary Counsel. First, an attorney's disciplinary record is material to the District of Maryland's consideration of an application to reactivate admission to practice before that court. David Ciambruschini, Chief Deputy Clerk for the District of Maryland, testified at the hearing that the information sought on the form is "necessary to evaluate whether an applicant is eligible for admission to the bar" of that court. Tr. 98 (Ciambruschini). The application must be signed under penalty of perjury, *see* DCX 11, which makes clear to the applicant the importance the District of Maryland places on the information sought. *See* Tr. 99-100 (Ciambruschini).

Second, in connection with his 2016, 2022, and 2023 applications to reactivate his membership in the bar of the District of Maryland, Respondent failed to disclose his 2015, 2019, and 2021 court-imposed discipline. Respondent did so knowingly.

With respect to his 2016 application for reactivation, Respondent knowingly omitted the D.C. Circuit's 2015 public reprimand. Respondent claims that he did not believe that the public reprimand was "discipline" because he had not been suspended from the practice of law. For the reasons discussed above, this testimony was not credible on its face; it was further undermined by Respondent's implicit challenge to whether the underlying client representation should have led to a reprimand in the first instance; and it was additionally undercut by Respondent's refusal to concede the facts and conclusions set forth in the D.C. Circuit's public reprimand. *See supra* FF 38-43. Furthermore, Respondent's testimony that he disclosed on his 2016 application the 2015 public reprimand was false. The face of the application demonstrates as much (*see supra* FF 8, 42; DCX 11 at 5-6), and Respondent's ever-shifting explanations bolster that conclusion. *See supra* FF 38-43.

As for his unsigned 2022 application, Respondent did not disclose the D.C. Circuit's 2015 public reprimand, the D.C. Court of Appeals' 2019 stayed suspension, or the D.C. Circuit's 2021 reciprocal suspension. *See* DCX 11 at 7-18. To be sure, on his unsigned 2022 application Respondent wrote "5/2019 (1 yr probation)" in response to Question 2a, in the space provided for the date of a prior disclosure. *Id.* at 7. But Respondent had not, in fact, previously disclosed the D.C.

Court of Appeals' 2019 stayed suspension, and his oblique reference to "5/2019 (1 yr probation)" did not fully disclose it either. *See supra* FF 22-23. A truthful statement would have provided the details relevant to the 2019 suspension, such as the "facts, court, charge, [and] date." DCX 11 at 7. And, regardless of whether one District of Maryland judge was aware of Respondent's 2019 discipline, he was still obligated to disclose it – fully and truthfully. *See supra* FF 46.

On his 2023 application, Respondent again failed to disclose the D.C. Circuit's 2015 public reprimand, the D.C. Court of Appeals' 2019 stayed suspension, and the D.C. Circuit's 2021 reciprocal suspension. *See* DCX 11 at 19-20. This time, Respondent even omitted the indirect reference to the D.C. Court of Appeals' 2019 stayed suspension. *See id*.

In short, with respect to his 2016, 2022, and 2023 applications for reactivation, Respondent knew that he had been disciplined by a court (or, more accurately, by 2021, by more than one court). That information was material to the District of Maryland in its consideration of Respondent's applications. And Respondent knowingly omitted it. As a result, Respondent violated Maryland Rule 19-303.3(a)(1).

C. Disciplinary Counsel Proved by Clear and Convincing Evidence that Respondent Violated Maryland Rule 19-308.1(a).

Maryland Rule 8.1(a) provides that "an attorney in connection with a bar admission application . . . shall not: (a) knowingly make a false statement of material fact." *See, e.g., Attorney Grievance Comm'n v. Kepple*, 68 A.3d 797, 805-06 (Md.

2013) (per curiam) (Rule 8.1(a) violated by failure to disclose on application that applicant had lied to law school in order to receive reduced tuition).

Disciplinary Counsel argues that Respondent violated Rule 8.1(a) because he gave false answers and failed to report material information: the details of his prior discipline. The Hearing Committee's analysis of Respondent's violation of Rule 3.3(a)(1) applies with equal weight here. *See supra* pp. 21-23. In connection with his 2016, 2022, and 2023 applications to reactivate his bar membership, Respondent knowingly gave false answers and omitted facts material to the District of Maryland's consideration of his requests. For the same reasons that Respondent violated Rule 3.3(a)(1), Respondent also violated Rule 8.1(a).

D. Disciplinary Counsel Proved by Clear and Convincing Evidence that Respondent Violated Maryland Rule 19-308.4(c).

Maryland Rule 19-308.4(c) states that "[i]t is professional misconduct for an attorney to . . . engage in conduct involving dishonesty, fraud, deceit or misrepresentation." A "knowing" false statement violates Rule 19-308.4(c), even if there was no intent to deceive. *Attorney Grievance Comm'n v. Dore*, 73 A.3d 161, 174 (Md. 2013); *see also Attorney Grievance Comm'n v. Zhang*, 100 A.3d 1112, 1135-36 (Md. 2014) (highlighting the difference between fraud and deceit, which require an intent to deceive, and dishonesty and misrepresentation, which do not require any specific intent). Concealment of material facts violates Rule 19-308.4(c). *Attorney Grievance Comm'n v. Steinhorn*, 198 A.3d 821, 830 (Md. 2018).

Disciplinary Counsel argues that Respondent violated Rule 19-308.4(c) for the same reasons that he violated Rule 19-303.3(a)(1). Again, the Hearing

Committee agrees. On his 2016, 2022, and 2023 applications to reactivate his bar membership, Respondent engaged in conduct involving dishonesty and misrepresentation – *i.e.*, Respondent knowingly gave false answers and omitted facts material to the District of Maryland's consideration of his request to rejoin the bar of that court. *See supra* pp. 21-24. Thus, for the same reasons that Respondent violated Rule 19-303.3(a)(1) (and Rule 19-308.1(a)), Respondent also violated Rule 19-308.4(c).

E. Disciplinary Counsel Proved by Clear and Convincing Evidence that Respondent Violated Maryland Rule 19-308.4(d).

Maryland Rule 19-308.4(d) provides that "[i]t is professional misconduct for an attorney to . . . engage in conduct that is prejudicial to the administration of justice." Prejudice to the administration of justice may "be measured by the practical implications the attorney's conduct has on the day-to-day operation of our court system." *Dore*, 73 A.3d at 175. Depriving the court of knowledge and, in turn, the ability to act upon that knowledge, violates Rule 19-308.4(d). *See Attorney Grievance Comm'n v. Robaton*, 983 A.2d 467, 475-76 (Md. 2009)

Disciplinary Counsel argues that Respondent's dishonest course of conduct in presenting the Maryland federal court with applications containing false information and refusing to disclose his prior discipline as called for in each application violated Maryland Rule 19-308.4(d). The Hearing Committee agrees. Respondent deprived the District of Maryland of knowledge and, in turn, the ability to act upon that knowledge. *See Robaton*, 983 A.2d at 475-76. Respondent never disclosed the D.C. Circuit's 2015 public reprimand. He never fully disclosed the D.C. Court of

Appeals' 2019 stayed suspension. And the District of Maryland first learned of the D.C. Circuit's 2022 reciprocal suspension when Mr. Ciambruschini prepared to testify in this matter. Tr. 90-91 (Ciambruschini). As a result, the District of Maryland was not in a position to evaluate whether Respondent was truly eligible for readmission to the bar of that court. *See* Tr. 98 (Ciambruschini). Respondent therefore violated Rule 8.4(d).

RECOMMENDED SANCTION

In this case, Disciplinary Counsel recommends that Respondent be suspended for nine months with fitness. Respondent did not make an argument on sanction. For the reasons described below, we agree with Disciplinary Counsel and recommend that Respondent be suspended for nine months and that he be required to prove his fitness to practice before reinstatement following his suspension.

A. Standard of Review

The sanction imposed in an attorney disciplinary matter is one that is necessary to protect the public and the courts, maintain the integrity of the legal profession, and deter the respondent and other attorneys from engaging in similar misconduct. *See, e.g.*, *In re Hutchinson*, 534 A.2d 919, 924 (D.C. 1987) (en banc); *In re Martin*, 67 A.3d 1032, 1053 (D.C. 2013); *Cater*, 887 A.2d at 17. "In all cases, [the] purpose in imposing discipline is to serve the public and professional interests . . . rather than to visit punishment upon an attorney." *In re Reback*, 513 A.2d 226, 231 (D.C. 1986) (en banc) (citations omitted); *see also In re Goffe*, 641 A.2d 458, 464 (D.C. 1994) (per curiam).

The sanction also must not "foster a tendency toward inconsistent dispositions for comparable conduct or . . . otherwise be unwarranted." D.C. Bar R. XI, § 9(h)(1); *see, e.g.*, *Hutchinson*, 534 A.2d at 923-24; *In re Berryman*, 764 A.2d 760, 766 (D.C. 2000). In determining the appropriate sanction, the Court of Appeals considers a number of factors, including: (1) the seriousness of the conduct at issue; (2) the prejudice, if any, to the client which resulted from the conduct; (3) whether the conduct involved dishonesty; (4) the presence or absence of violations of other provisions of the disciplinary rules; (5) whether the attorney has a previous disciplinary history; (6) whether the attorney has acknowledged his wrongful conduct; and (7) circumstances in mitigation or aggravation. *See, e.g.*, *Martin*, 67 A.3d at 1053 (citing *In re Elgin*, 918 A.2d 362, 376 (D.C. 2007)). The Court also considers "'the moral fitness of the attorney' and 'the need to protect the public, the courts, and the legal profession . . . .'" *In re Rodriguez-Quesada*, 122 A.3d 913, 921 (D.C. 2015) (per curiam) (quoting *In re Howes*, 52 A.3d 1, 15 (D.C. 2012)).

B. Application of the Sanction Factors

The Seriousness of the Misconduct

Respondent's misconduct was serious. He repeatedly falsely denied to a United States federal court that he had been disciplined. He otherwise omitted material information expressly sought by the court. Either way, the end result was that Respondent deprived the court of information material to its assessment of his fitness to have his bar membership reactivated. This was not a simple one-time oversight on Respondent's part. Respondent engaged in the same misconduct not

just once, but three times – in 2016, 2022, and 2023. And, each time, he did so deliberately, under penalty of perjury, despite knowing that he was obligated to disclose to the court that he had been subject to discipline by a court on three separate occasions – in 2015, 2019, and 2021. He was not a novice attorney who might not have understood the attorney disciplinary system, the Rules of Professional Conduct, or the materiality of the information requested by the court. He was a seasoned attorney representing clients in complex criminal matters. In a reflection of the seriousness of Respondent's conduct, some of whom terminated their attorney-client relationship with Respondent upon learning of his disciplinary history. Resp. Br. at 8.

Prejudice to the Client

There is no evidence that any clients were harmed by Respondent's false statements to the District of Maryland.

Dishonesty

Respondent's misconduct involved protracted dishonesty. He falsely denied to the District of Maryland that he had previously been disciplined and he otherwise omitted material information expressly sought by the court. He knowingly did so three times, under the penalty of perjury.

Violations of Other Disciplinary Rules

Respondent violated four Maryland Rules: Rule 19-303.3(a)(1) (knowing false statement of fact to a tribunal); Rule 19-308.1(a) (knowingly making a false statement in connection with a bar admission); Rule 19-308.4(c) (engaging in

dishonesty); and Rule 19-308.4(d) (engaging in conduct prejudicial to the administration of justice).

Previous Disciplinary History

As discussed above, Respondent has a disciplinary history. In 2015, the D.C. Circuit publicly reprimanded Respondent. In 2019, the D.C. Court of Appeals suspended Respondent for 90 days (stayed in favor of one year of unsupervised probation with conditions). And in 2021, the D.C. Circuit suspended Respondent on a reciprocal basis.

Acknowledgement of Wrongful Conduct

As discussed above, *see supra* FF 50, Respondent still contends that he did nothing wrong. Tr. 147 (Respondent: "I don't feel like I did anything wrong.") and Tr. 155-56 (Respondent: "But I didn't think I was doing anything wrong. . . . I wanted you to know I'm not doing anything wrong."). At most, he continues to maintain that any errors were harmless mistakes. Tr. 218, 233-34, 236, 264, 266.

Other Circumstances in Aggravation and Mitigation

Respondent presented no evidence in favor of mitigation. To the contrary, his conduct during the hearing in this matter should be considered an aggravating factor. He testified falsely, repeatedly placed blame on his clients, and impugned the integrity of Disciplinary Counsel. Moreover, Respondent seems to have learned nothing from his three other encounters with the attorney-disciplinary system.

Sanctions Imposed for Comparable Misconduct

Generally, in cases involving dishonesty on applications for admission to the bar, the D.C. Court of Appeals has imposed significant suspensions with fitness requirements, if not outright disbarment. *See, e.g.*, *In re Scott*, 19 A.3d 774 (D.C. 2011) (three-year suspension with fitness requirement for combined reciprocal and original matters, including false averment on D.C. bar application that she "answered all the questions fully and frankly"); *In re Powell*, 898 A.2d 365 (D.C. 2006) (per curiam) (one-year suspension with fitness for false representation in disciplinary matter, dishonesty, and conduct seriously interfering with the administration of justice where attorney submitted false application for Colorado bar admission); *In re Demos*, 875 A.2d 636, 639(D.C. 2005) (reciprocal case resulting in more severe sanction of disbarment in D.C. for "intentionally and knowingly mislead[ing] [Arizona court] in furnishing information on an application for admission"); *In re Regent*, 741 A.2d 40, 42 (D.C. 1999) (per curiam) (disbarment for false averments that answers on Arizona bar application were "full, true, and complete in all respects," and answers on Nevada bar application were true and complete); *In re Gilbert*, 538 A.2d 742, 745 (D.C. 1988) (per curiam) (reciprocal disbarment for failing to disclose a civil suit implicating criminal conduct during bar admission where Character Committee knew some aspects of misconduct).

In re Rosen provides apt guidance. 570 A.2d 728 (D.C. 1989) (per curiam). In that case, Rosen applied for admission in Maryland and indicated on his application that no charges or complaints were then pending against him concerning his professional conduct. *Id.* at 728. At the time, that response was accurate. *Id.* Shortly

thereafter, however, Disciplinary Counsel proceeded to prosecute Rosen based on a complaint filed by a client. *Id.* Then, a few months later, as part of his Maryland admission process, Rosen endorsed a written oath stating that all matters and facts reflected on his original application were still true and correct. *Id.* at 728-29. Following a disciplinary hearing, the Maryland Circuit Court concluded that Rosen signed the oath with reckless indifference, which it equated to deliberate conduct. *Id.*; *see also Attorney Grievance Comm'n v. Rosen*, 492 A.2d 289, 289 (Md. 1985). At Rosen's request "and with the agreement of Maryland bar counsel, the Maryland Court of Appeals dismissed the charges and allowed respondent to resign from the Maryland bar with prejudice." 570 A.2d at 729; *see also* 492 A.2d at 290.

Disciplinary Counsel then initiated disciplinary proceedings against Rosen and, ultimately, the D.C. Court of Appeals concluded that

> [i]n consideration of [Rosen's] prior exposure to sanctions in Maryland, the lack of harm resulting to any client from the instant violation, [Rosen's] cooperation with [Disciplinary] Counsel in this matter, and his prior record as an advocate, we order that respondent be suspended from practicing law in the District of Columbia for the period of nine months, with the added requirement that, upon arriving at eligibility for reinstatement to active practice, he furnish satisfactory proof of his rehabilitation.

570 A.2d at 730.

In this case, Respondent's conduct is comparable, albeit arguably more egregious. Whereas Rosen hid substantial negative information when initially applying for admission to the Maryland Bar, Respondent repeatedly falsely denied that he had previously been disciplined by a court, when, by 2021, he had been

disciplined three times. The Hearing Committee believes that, at a minimum, the same nine-month suspension that the D.C. Court of Appeals assessed against Rosen would be a consistent sanction in this case.

C. Fitness

Disciplinary Counsel argues that Respondent should be required to prove his fitness to practice before reinstatement following his suspension. The purpose of conditioning reinstatement on proof of fitness is "conceptually different" from the basis for imposing a suspension. *Cater*, 887 A.2d at 22. The Court has observed that while a suspension represents "a 'commensurate response to the attorney's past ethical misconduct,' the fitness requirement addresses the concern 'that the attorney's resumption of the practice of law will not be detrimental to the integrity and standing of the Bar, or to the administration of justice, or subversive to the public interest.'" *In re Brown*, 310 A.3d 1036, 1050 (D.C. 2024) (quoting *Ire Lattimer*, 223 A.3d 437, 452-53 (D.C. 2020) (per curiam)).

Thus, in *Cater*, the Court held that "to justify requiring a suspended attorney to prove fitness as a condition of reinstatement, the record in the disciplinary proceeding must contain clear and convincing evidence that casts a serious doubt upon the attorney's continuing fitness to practice law." 887 A.2d at 6. Proof of a "serious doubt" involves "more than 'no confidence that a Respondent will not engage in similar conduct in the future.'" *In re Guberman*, 978 A.2d 200, 213 (D.C. 2009). It connotes '"real skepticism, not just a lack of certainty."' *Id.* (quoting *Cater*, 887 A.2d at 24).

As the Court explained:

> The fixed period of suspension is intended to serve as the commensurate response to the attorney's past ethical misconduct. In contrast, the open-ended fitness requirement is intended to be an appropriate response to serious concerns about whether the attorney will act ethically and competently in the future, after the period of suspension has run. . . . [P]roof of a violation of the Rules that merits even a substantial period of suspension is not necessarily sufficient to justify a fitness requirement . . . .

Cater, 887 A.2d at 22.

In addition, the Court found that the five factors for reinstatement set forth in *In re Roundtree*, 503 A.2d 1215, 1217 (D.C. 1985), should be used in applying the *Cater* fitness standard. They include:

> the nature and circumstances of the misconduct for which the attorney was disciplined;
>
> whether the attorney recognizes the seriousness of the misconduct;
>
> the attorney's conduct since discipline was imposed, including the steps taken to remedy past wrongs and prevent future ones;
>
> the attorney's present character; and
>
> the attorney's present qualifications and competence to practice law.

Cater, 887 A.2d at 21, 25.

We find that all five factors provide clear and convicing evidence of a serious doubt of Respondent's fitness to practice law: Respondent knowingly engaged in dishonesty with a court, leaving it unable to fully assess his fitness to practice before it; Respondent continues to maintain that, if anything, he made a simple mistake and blames others for the circumstances in which he finds himself; Respondent seemingly has learned nothing from the prior discipline imposed on him and he has

presented no evidence that he has taken steps to remedy his past wrongs or to prevent future ones; at present, Respondent's character for truthfulness is in question, given his lack of credibility before the Hearing Committee; and until Respondent demonstrates that he will conduct himself before the courts with full honesty and transparency, he should not be permitted to engage in the practice of law.

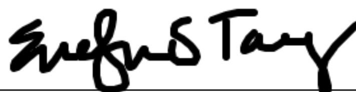
CONCLUSION

For the foregoing reasons, the Committee finds that Respondent violated Maryland Rules 19-303.3(a)(1) (knowingly making a false statement of fact to a tribunal); Rule 19-308.1(a) (knowingly making a false statement in connection with a bar admission); Rule 19-308.4(c) (engaging in dishonesty); and Rule 19-308.4(d) (engaging in conduct prejudicial to the administration of justice), and should be suspended for nine months with reinstatement conditioned on proof of fitness. We further recommend that Respondent's attention be directed to the requirements of D.C. Bar R. XI, § 14, and their effect on eligibility for reinstatement. *See* D.C. Bar R. XI, § 16(c).

AD HOC HEARING COMMITTEE

Dawn Murphy-Johnson, Chair

George Hager, Public Member



Evelyn Tang, Attorney Member