

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 178 DB 2016
Petitioner	:	
	:	File No. C2-15-858 & C2-16-50
v.	:	
	:	Attorney Registration No. 42586
ROGER V. ASHODIAN	:	
Respondent	:	(Delaware County)

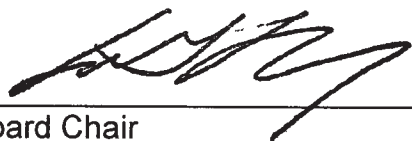
O R D E R

AND NOW, this 18th day of November, 2016, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said ROGER V. ASHODIAN of Delaware County be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(b) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.


Costs shall be paid by the Respondent.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD
Attest:



Marcee D. Sloan, Asst. Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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PUBLIC REPRIMAND

Roger V. Ashodian you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Ashodian, you are being reprimanded today in connection with your misconduct in two matters. In early 2012, you represented Denise Collins in connection with a sheriff's sale of her house. You successfully voided the sheriff's sale and received the sum of \$125,000.00 on behalf of your client, which you deposited into your IOLTA account. You assisted Ms. Collins with the sale of her house and thereafter continued to hold funds in escrow while you negotiated medical bills owed to various institutions. There is no evidence that you ever actually negotiated the bills. By 2014, Ms. Collins was in need of her funds. As a result, she began asking you to return her money. You failed to promptly return Ms. Collins' funds, respond to her inquiries, render a complete accounting of the funds and provide complete transaction records to Office of Disciplinary Counsel. You unjustifiably retained Ms. Collins' funds without providing

an accounting for over eighteen months, despite have been expressly told that your client was in need of the money. You offered no proof to support your claim that the delay was due to your concern about your client's competence.

In the second matter, you continued to practice law after the Supreme Court entered an Order on November 17, 2015, transferring you to administrative suspension for Continuing Legal Education deficiencies, which Order was effective thirty days from the date of the Order. You received notice of your suspension by certified mail. You did not take immediate action to correct your status and did not regain active status until February 9, 2016, even though you had notice of your suspension and had been apprised of your status by Office of Disciplinary Counsel in December 2015 and by the Prothonotary of Delaware County in January 2016. You did not timely respond to Office of Disciplinary Counsel's requests for information.

Your conduct in this matter has violated the following Rules of Professional Conduct:

1. RPC 1.3 – Failing to act with reasonable diligence and promptness in representing your client;
2. RPC 1.4(a)(4) – Failing to promptly comply with reasonable requests for information;
3. RPC 1.15(c)(1) – Failing to maintain complete records relating to fiduciary funds, including all transaction records provided to the lawyer by the Financial Institution or other investment entity, such as periodic statements, cancelled checks, deposited items and records of electronic transactions;

4. RPC 1.15(e) – Failing to promptly deliver to your client any property, including but not limited to Rule 1.15 Funds, that your client was entitled to receive and failing to promptly render a full accounting regarding such property;
5. RPC 5.5(a) – Practicing law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction;
6. RPC 8.4(c) – Engaging in conduct involving dishonesty, fraud, deceit or misrepresentation;
7. Pa.R.D.E. 203(b)(7) – Failing to timely respond to DB-7 letters sent to you by Office of Disciplinary Counsel;
8. Pa.R.D.E. 217 – Continuing to practice law after your administrative suspension took effect;
9. Pa.R.D.E. 219 - Failing to accurately and completely report all required information on the annual attorney registration fee form;
10. Pa.R.D.E. 221(g)(1) – Failing to maintain and produce all requested financial records.

We note that you have been admitted to practice law in the Commonwealth since 1984 and have never been the subject of professional discipline in any other matters.

Mr. Ashodian, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Rules of Disciplinary Enforcement. This Public Reprimand is proof that Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org.



Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on January 4, 2017.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on January 4, 2017.



Roger V. Ashodian