

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 197 DB 2015
Petitioner	:	
	:	File No C1-14-864 & C1-15-417
v.	:	
	:	Attorney Registration No. 22326
LIBRO G. TAGLIANETTI, JR.	:	
Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

Libro G. Taglianetti, 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. Taglianetti, you are being reprimanded today for your conduct during the representation of two separate clients. Concetta Parker retained you to represent her in a personal injury matter. Medical bills were incurred by Ms. Parker as the result of the injuries she sustained. Ms. Parker claims that she provided you with notices from Medicare indicating that a Medicare lien was in place against any settlement proceeds garnered in the matter. Although you state you did not receive any notices from Ms. Parker, you were aware that medical bills had been incurred and that your client was on Social Security Disability. Whether or not Ms. Parker supplied the Medicare notices to you, based upon your knowledge that your client was receiving SSD, you failed to exercise due diligence in determining the source of the payment of the medical bills. Had you exercised due diligence, you would have realized that you were required to retain the settlement funds until such time as the amount of the lien was determined.

You took your legal fee and advanced costs and provided Ms. Parker with the balance of the settlement funds. Thereafter, Medicare contacted Ms. Parker regarding the funds, which she paid in full. As a Condition of this Public Reprimand, you were ordered to submit proof that you made payment of \$481.00 to Ms. Parker, which amount was calculated by Office of Disciplinary Counsel based on 37% of Medicare's lien of \$1,300.00. You submitted proof that you satisfied this condition.

In the second matter, you were retained by Josephine Primiano to prepare a deed transferring the real property of Ms. Primiano to Antoinette Ricciardi, her sister. For the preparation and filing of the deed, you were paid \$440. You failed to file the deed, even though you claimed that the deed was completed and you made repeated promises to your client to get it filed. Subsequent to Office of Disciplinary Counsel's investigation into this matter, you met with Ms. Primiano and returned to her \$400 in cash.

In both of these matters, you failed to notify your clients that you did not have malpractice insurance in place. In Ms. Parker's matter, you failed to provide your client with a fee arrangement in writing at or within a reasonable period of time after the commencement of the representation.

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

1. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.
2. RPC 1.4(a)(3) – A lawyer shall keep the client reasonably informed about the status of the matter.
3. RPC 1.4(a)(4) – A lawyer shall promptly comply with reasonable requests for information.

4. RPC 1.4(c) - A lawyer in private practice shall inform a new client in writing if the lawyer does not have professional liability insurance of at least \$100,000 per occurrence and \$300,000 in the aggregate per year, subject to commercially reasonable deductibles, retention or co-insurance, and shall inform existing clients in writing at any time the lawyer's professional liability insurance drops below either of these amounts or the lawyer's professional liability insurance is terminated.
5. RPC 1.5(b) – When the lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client, in writing, before or within a reasonable time after commencing representation.
6. RPC 1.15(d) - Upon receiving Rule 1.15 Funds or property which are not Fiduciary Funds or property, a lawyer shall promptly notify the client or third person, consistent with the requirements of applicable law.
7. RPC 1.15(e) - A lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property.

8. RPC 1.15(f) – When in possession of funds or property in which two or more persons, one of whom may be the lawyer, claim an interest, the funds or property shall be kept separate by the lawyer until the dispute is resolved. The lawyer shall promptly distribute all portions of the funds or property, including Rule 1.15 Funds, as to which the interests are not in dispute.
9. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.
10. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

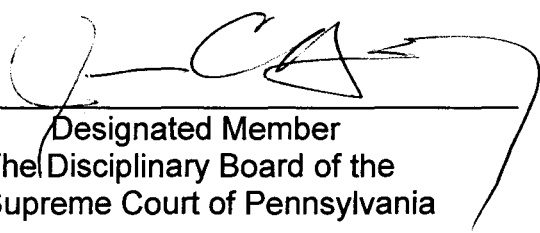
We note that you have a record of professional discipline consisting of an Informal Admonition administered in 2014. The conduct that resulted in this previous discipline is similar to that of the instant matter.

As part of the sanction in this matter, you have been placed on Probation for a period of two years, subject to the following conditions: during the first year of probation, you shall complete a Continuing Legal Education course of at least three hours on the topic of handling lien funds; you shall not violate the Rules of Professional Conduct and Rules of Disciplinary Enforcement during your probation; and, you shall file semi-annual reports with the Office of the Secretary, with a copy to Office of Disciplinary Counsel, to that effect. This probation commenced on January 8, 2016. Please be aware that failure to comply with the terms of your probation shall be grounds for further action.

Mr. Taglianetti, 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 April 14, 2016.

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 the District I Office located at 1601 Market Street, Suite 3320, Philadelphia, PA on April 14, 2016.



Libro G. Taglianetti, Jr.