

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

In the Matter of : No. 614, Disciplinary Docket  
[ANONYMOUS] : No. 2 - Supreme Court  
PETITION FOR REINSTATEMENT :  
: No. 19 DB 1988 - Disciplinary Board  
: Attorney Registration No. [ ]  
: ([ ])

REPORT AND RECOMMENDATIONS OF  
THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

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TO THE HONORABLE CHIEF JUSTICE AND JUSTICES  
OF THE SUPREME COURT OF PENNSYLVANIA:

" Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above-captioned Petition for

I. HISTORY OF PROCEEDINGS

The Petitioner, [ ], was Disbarred on Consent by Order of the Supreme Court dated March 16, 1988, after having submitted a verified Statement of Resignation on February 18, 1988. The basis for the resignation was the commingling and conversion of clients' funds during the time period from 1980 through 1984.

On October 19, 1992, Petitioner filed a Reinstatement Petition in accordance with Disciplinary Board Rules and Procedures, Subchapter F, §89.272(b), not more than nine (9) months prior to the expiration of the five (5) year period set forth §89.272(a).

The matter was referred to Hearing Committee [ ] which held a hearing on May 21, 1993. The hearing was chaired by [ ], Esq. and included [ ], Esq. and

[ ], Esq. During the Reinstatement Hearing, the Petitioner testified on his own behalf. In addition, Petitioner presented a number of character witnesses and his current wife in support of the contention that Petitioner has met his burden of proof to be reinstated to the practice of law. At the Hearing no evidence was presented by the Office of Disciplinary Counsel.

Petitioner filed a Brief dated July 1, 1993, to the Hearing Committee. On November 1, 1993, Hearing Committee [ ] filed its report and recommended that reinstatement be granted.

By letter dated November 15, 1993, the Office of Disciplinary Counsel advised the Hearing Committee that it would not file any exceptions to the Report of the Hearing Committee.

The matter was adjudicated at the December 3, 1993 meeting of the Disciplinary Board of the Supreme Court of Pennsylvania.

## II. FINDINGS OF FACT

The Board adopts the findings of fact made by the Hearing Committee.

1. Petitioner was born on October 9, 1947 and received a BA degree from [ ] College in 1969 and a JD degree from [ ] University School of Law in 1973. Petitioner was admitted to the Bar of the Commonwealth of Pennsylvania on or about October 12, 1973.

2. After admission to the practice of law in Pennsylvania, Petitioner was employed by [A] as an Associate from 1973 until 1977, at which time Petitioner became a partner in the firm from 1977 until March of 1988.

3. Petitioner was in general practice from 1973 until March 1988 and emphasized domestic, personal injury and estate matters, with occasional criminal and civil litigation.

4. While a practicing lawyer, Petitioner tried matters before a jury to verdict and also tried many arbitration matters.

5. As a practicing attorney, Petitioner was an active member of the [ ] Bar Association.

6. By letter dated April 27, 1984, Petitioner was informed by the Office of Disciplinary Counsel of a complaint made by one of Petitioner's former clients. The complaint involved Petitioner's conversion of the client's funds, to wit, Petitioner's placing the client's signature on litigation release forms without the client's knowledge or consent, failure to notify the client of the receipt of the client's funds and failure to provide client with a prompt accounting. The notice stated that if the allegations were found to be true, they may represent violations of the following Disciplinary Rules of the Code of Professional Responsibility: DR 1-102(A) (4) , (5) and (6); DR 6-101(A) (3); DR 7-101(A) (1), (2) and (3); DR 9-102(A); and DR 9-102(B) (1), (3) and (4).

7. By letter from the Office of Disciplinary Counsel dated September 16, 1987, the Petitioner was notified of additional allegations of misconduct in a ten (10) count letter of inquiry. These allegations included *inter alia*, failure to provide clients with an accounting of their funds; refusal to disburse to clients their share of the proceeds from settlement of lawsuits; without authority, negotiating settlements on behalf of his clients; use of clients' funds for purposes of defraying Petitioner's personal and professional expenses; knowingly preparing or causing to be prepared false accountings of estates being handled on behalf of Petitioner's client, which falsified forms were then filed as part of the Pennsylvania Inheritance tax form; and conversion of estate funds for clients which were deposited and commingled with funds belonging to Petitioner's firm. The letter stated that if the allegations were found true they may represent the violation of the following Disciplinary Rules of the Code of Professional Responsibility: DR 1-102(A) (2), (3), (4), (5) and (6); DR 6-101(A) (2) and (3); DR 6-102(A); DR 7-101(A) (1), (2) and (3); DR 7-102(A) (1), (3), (4), (5), (6), (7) and (8); DR 7-102(B) (1) and (2); and DR 9-102(B) (1), (2), (3) and (4).

8. During the period of Petitioner's misconduct between 1980 and 1984, Petitioner was married to his first wife, [B]. They separated in December 1984 and were divorced in 1985.

9. Petitioner's first wife suffered from a very rare and seriously debilitating psychiatric illness known as Munchausen Syndrome. This illness resulted in her hospitalization on numerous occasions during their marriage. Petitioner's first wife's illness was not diagnosed until 1984, following an episode in which [B] poisoned and almost killed their infant son, [C].

10. Petitioner's first wife's illness was all-consuming and wrecked havoc with both Petitioner's private and professional life.

11. After his separation from his first wife in December of 1984, Petitioner filed and obtained custody of his two children. His first wife was permitted only supervised visits with the children.

12. In 1991, Petitioner's first wife died as a result of an automobile accident.

13. The money involved in the violations set forth in the Office of Disciplinary Counsel's letters dated April 27, 1984 and September 16, 1987, which were the basis for Petitioner's Disbarment by Consent, was all repaid by 1986. The Office of Disciplinary Counsel presented no evidence to the contrary.

14. The repayment of funds to clients by the Petitioner was not paid out of any client security funds or any other funds. All monies repaid to clients were paid by the Petitioner and he does not owe any money to any organization due to his misconduct which resulted in his disbarment.

15. Petitioner remarried on August 20, 1986 to [D]. They have five children: a son and a daughter by Petitioner's first marriage, a son and a daughter by [D's] first marriage, and a daughter born to Petitioner and his wife.

16. Petitioner's four eldest children attend parochial school and Petitioner and his wife are active members of the church and the parish.

17. During the time period beginning in 1985 and up until his disbarment in March 1988, Petitioner made a concerted and successful effort to rebuild his personal life and rehabilitate his legal career.

18. In January 1988, two months prior to Petitioner's resignation and subsequent disbarment by consent, Petitioner received the [ ] Award presented by the [ ] Program of the [ ] Bar Association for a small firm that provided the greatest amount of pro bono representation of indigent clients in [ ].

19. Petitioner has admitted and accepted full responsibility for the misconduct which resulted in his resignation and subsequent disbarment by consent.

20. Petitioner recognizes that the fact of his devastating and desperate family circumstances, as occasioned by the serious mental illness of his first wife, does not in any way excuse his misconduct. However, he has set forth in great detail the extreme personal problems he experienced to assist in the considerations which are brought to bear in determining whether Petitioner has overcome the threshold question required by *Keller*.

21. From Petitioner's resignation and disbarment on consent in March of 1988 until 1990, Petitioner worked part-time in a paralegal capacity for his former law partner, [A]. In addition, during this time period Petitioner managed real estate interests that he owned. While acting as a paralegal, Petitioner was supervised by [A] and his primary duties were performing research and preparing pleadings. Petitioner did not give any legal advice while acting in this capacity, he was compensated for his services on an hourly basis, and he did not share in any legal fees.

22. During the time Petitioner was disbarred he did receive a referral fee from a case he had referred out prior to his disbarment. The referral fee was One Hundred Thousand Dollars (\$100,000). Prior to accepting the referral fee, Petitioner sought an opinion from the Pennsylvania Bar Association's Legal Ethics Committee regarding whether as a disbarred lawyer he was permitted to

receive the referral fee. The Committee's opinion stated that Petitioner, although a disbarred lawyer, was allowed to receive a referral fee on a case that he had referred out prior to his disbarment.

23. In 1990, Petitioner began working for the [E] Group as a consultant and in November of 1990, he became a Senior Vice President of the company.

24. Upon joining the [E] Group, Petitioner was responsible for assisting in the restructuring and reorganization of the debt of the [E] Group, which, at the time Petitioner began working, was more than Three Hundred Million Dollars (\$300,000,000.00). As of November 1993, the debt had been reduced to Forty Million Dollars (\$40,000,000). Petitioner has been responsible for the negotiations involved in the restructuring of the [E] Group.

25. As Executive Vice President of the [E] Group, Petitioner worked with numerous attorneys hired by the [E] Group to handle legal aspects of the company's renegotiations matters. At no time during his employment for the [E] Group has Petitioner held himself out as a lawyer. Moreover, when necessary he advised those with whom he had contact that he was not an attorney or that he was a disbarred attorney.

26. Petitioner has complied with all the requirements at the time of his resignation including his Certificate of Compliance.

27. During the period that Petitioner has been a disbarred lawyer, he was involved in numerous litigation matters which are set forth on his Reinstatement Questionnaire. All of the matters therein identified have been resolved, except for the pending wrongful death claim in which he is the Administrator of the Estate of his deceased first wife. His involvement is essentially for the economic benefit of his children from his first marriage and Petitioner has waived his administrator's fee in that matter.

28. At no time during his career as a lawyer or after his disbarment, has Petitioner been sued for legal malpractice or professional liability.

29. Petitioner has maintained his currency in the law and has attended the required courses for reinstatement and his admission ticket for these courses is part of the instant record. Further, he has maintained currency in the law by reading advance sheets and through his opportunities, in his capacity of Senior Vice President of [E] Group, to consult on a regular basis with numerous attorneys.

30. Petitioner is familiar with and has read the Rules of Professional Conduct adopted by Order of the Supreme Court of Pennsylvania, effective April 11, 1988. Further, Petitioner has pledged that, if he is admitted to practice law in this Commonwealth, he will comply with the Rules of Professional Conduct.

31. Petitioner has entered into settlement agreements with the City of [ ] regarding all outstanding real estate and business privilege and net profit tax liabilities owed to the City of [ ] by the law firm of [A] and [Respondent] for the time period in which he was a partner with the firm.

32. If admitted to practice law in the Commonwealth, Petitioner intends to continue his involvement with the [ ] Program of the [ ] Bar Association.

33. Petitioner has taken full responsibility for his misconduct which was the basis for his disbarment and he has learned and grown from this matter. Specifically, he has learned that he must deal with his problems and he has demonstrated that he has learned to do so.

34. It is Petitioner's desire to make amends for his past misconduct and he seeks the opportunity to return to the practice of law in order to make positive contributions.

35. With regard to the future handling of clients' monies in an escrow account, Petitioner has given assurances that his misconduct in this regard which took place in the early 1980's will never happen again. Petitioner intends to fully comply with the Rules of Professional Conduct and to have his accounts audited on a regular basis.

36. Petitioner credits his current wife, [D], for the stability in his life and his current caring and responsibility in his familial, social and work environments. Further, Petitioner's life revolves around his children, his wife and the Catholic Church.

37. Petitioner's present wife, [D], testified that she has observed the Petitioner through his disbarment and has seen positive changes in his personal life from 1984 through to the present.

38. [F], Esq., an attorney who represents the [E] Group, testified to the Petitioner's excellent reputation in his community as to truthfulness and honesty and as a peaceful and law abiding citizen. Attorney [F] recommends the Petitioner's readmission to the practice of law.

39. [G], Esq., an attorney who has represented the [E] Group, testified to the Petitioner's excellent reputation in his community as to truthfulness and honesty and as a peaceful and law abiding citizen. Attorney [G] also recommends the Petitioner's readmission to the practice of law.

40. In addition, Attorney [G] testified that while working with the Petitioner, Petitioner has been careful not to hold himself out as a practicing lawyer and has never been involved in giving legal advice.

41. [H], a certified public accountant and the President of [H] and Associates, testified that he was the former Senior Executive Vice President and Chief Financial Officer of the [E] Group from 1986 through 1991 and that he still performs consulting work for the organization. [H] has known the Petitioner since 1966 and he testified that the Petitioner was one of the finest persons with whom he has ever worked. [H] described the excellent employment services provided by the Petitioner for the [E] Group. He testified that Petitioner handled financial matters for the [E] Group in an appropriate and proper fashion. Further, [H] has testified that the Petitioner's reputation in his community was one of a peaceful, truthful, honest and law abiding citizen.



42. [I], Esq. testified that he has known the Petitioner since October 1991 and that he represents Petitioner in his capacity as Executor of the Estate of his first wife. Attorney [I] testified to Petitioner's excellent reputation as a truthful and honest person and a peaceful and law abiding citizen in the community. He further testified that he has no hesitation in recommending the readmission of the Petitioner to the practice of law.

43. [J], Esq. testified that he represented the Petitioner in his domestic and custody related matters involving Petitioner's first wife. His relationship with the Petitioner has developed into a friendship. Attorney [J] has asked the Petitioner to be an alternative Executor in his Will. [J] testified that the Petitioner's reputation in the community is as a peaceful and law abiding citizen and as a truthful and honest person and that he has no hesitation in recommending the Petitioner's readmission to the practice of law.

44. Monsignor [K], the Pastor of [L] parish in [ ], Pennsylvania, testified that he has come to know the Petitioner and his family through their involvement in parish and church activities. He described the Petitioner and his family as regular churchgoers who are deeply involved in the parish. Monsignor [K] testified that the Petitioner's reputation in the community is as a peaceful and law abiding citizen who is a truthful and honest person.

45. [M], owner of the [E] Group and the present employer of Petitioner, was unable to attend the Hearing. In lieu of his testimony he prepared an Affidavit dated April 25, 1993, which was included with Petitioner's record. Counsel stipulated that [M] would have testified in accordance with said Affidavit. [M's] Affidavit states that Petitioner has personally directed the disposition of millions of dollars of company funds. Further, [M] stated that while Petitioner has been employed by the [E] Group he has conducted himself at the highest levels of integrity and competence. [M] has no hesitation in recommending that the Petitioner be allowed to practice law.

46. At the conclusion of the Hearing of this matter Assistant Disciplinary Counsel stated that their investigation has uncovered nothing which would lead the Counsel to recommend that there be any type of negative finding in relation to the petition. The Counsel took neither a position as to a recommendation of reinstatement nor as to its opposition.

### III. CONCLUSIONS OF LAW

The misconduct for which Petitioner was disbarred is not so egregious as to preclude immediate consideration of his Petition for Reinstatement.

The Petitioner has demonstrated, by clear and convincing evidence, that he possesses the moral qualifications, competency and learning in the law required for readmission to practice law in this Commonwealth.

The Petitioner has demonstrated by clear and convincing evidence, that his resumption to the practice of law in the Commonwealth of Pennsylvania will not have a detrimental effect upon the integrity and standing of the Bar.

The Petitioner has demonstrated, by clear and convincing evidence, that his resumption of the practice of law will not be detrimental to the administration of justice, nor subversive of the public interest.

Petitioner should be reinstated to the practice of law in the Commonwealth of Pennsylvania and should be admitted to the bar of the Supreme Court of Pennsylvania.

### IV. DISCUSSION

The issue before the Disciplinary Board is whether Petitioner's request for reinstatement to the Pennsylvania Bar should be granted. This determination requires a two-tiered analysis.

When considering whether to recommend the reinstatement of a disbarred attorney, the Board must first determine whether the Petitioner's conduct for which he was disbarred was so egregious as to preclude possible reinstatement at this time. *Office of Disciplinary Counsel v. Keller*, 509 Pa. 573, 506 A.2d 872 (1986). The Supreme Court in *Keller* made it clear that some offenses may be of

a magnitude and severity that no amount of time can dissipate the adverse effect that reinstatement of the disbarred attorney may have upon the standing and integrity of the bar. Therefore, it is necessary to reexamine the offensive conduct before any consideration may be given to Petitioner's request to regain the privilege to practice law. *Office of Disciplinary Counsel v. [N]*, 4 DB 76 at 4 (when considering a Petition for Reinstatement a "review of the underlying offense is required as an initial step in determining eligibility for readmission").

The threshold question in the instant matter is whether Petitioner's misconduct, which involved misappropriation, conversion and mishandling of client funds over a period of several years in the early 1980s, forecloses any possibility of Petitioner's reinstatement. An examination of Pennsylvania case law demonstrates that Petitioner's misconduct is not so offense to the integrity of the bar or public interest as to proscribe his possible reinstatement.

In *In re Anonymous No. 36 DB 83*, 14 D.&C. 4<sup>th</sup> 359 (1991), the Supreme Court of Pennsylvania held that a review of Pennsylvania case law substantiates that the underlying offenses of commingling, conversion and misappropriation of client funds are "no so repugnant to the integrity of the Bar or public interest as to obviate...possible reinstatement." *Id.* at 367. See *In re Anonymous No. 24 DB 84*, 14 D.&C. 4<sup>th</sup> 235 (1991) (reinstatement granted where underlying offenses involved misuse of client funds); *In re Anonymous No. 1 DB 73*, 29 D.&C. 3d 407 (1984) (attorney disbarred for misuse of client funds reinstated after presenting evidence of living an excellent life and change and reform). See also *In re Anonymous Nos. 4 and 35 DB 79*, 5 D.&C. 4<sup>th</sup> 557 (1989) (attorney who unsatisfactorily handled client affairs and voluntarily withdrew from the bar was later readmitted).

In as much as (a) the Supreme Court of Pennsylvania has permitted reinstatement where the misconduct involved behavior similar to that of the Petitioner, and (b) the Disciplinary Counsel has decided not to file an

opposition to Hearing Committee [ ] reinstatement recommendation, the Board finds that although Petitioner's misconduct was extremely grave and warranted severe discipline through disbarment in 1988, it is not so contrary to the foundations of the legal system as to preclude Petitioner's immediate consideration for reinstatement.

Having determined that that the underlying misconduct is not so egregious as to preclude reinstatement, the Board must focus upon the issue of whether sufficient time has passed since the misconduct occurred, during which the Petitioner was engaged in a qualitative period of rehabilitation. *In re Anonymous No. 99 DB 84*, 14 D.&C. 4th 342, 354 (1991), citing *Keller, supra*; *In re Anonymous No. 24 DB 84*, 14 D.&C. 4<sup>th</sup> 235, 244 (1991).

Although Petitioner's offenses caused harm to his clients, by the end of 1986, he had personally repaid all misappropriated client funds. During the time period of Petitioner's misconduct, he was experiencing an agonizing personal crisis -- his former wife and children's lives were in danger due to the serious and rare psychiatric illness suffered by his former wife. Petitioner has accepted full responsibility for his actions and as soon as he was able to bring some order to his tumultuous personal life, he quickly moved to repay his clients and to repair the attorney client relationships which had suffered due to his misconduct.

The record is replete with evidence that Petitioner had made significant change toward reform since prior to his disbarment by consent in March 1988. Between 1985 and the time of his disbarment in March 1988, Petitioner rebuilt his shattered practice, and was very active in the [ ] Bar Association, winning, in January 1988, the [ ] Award from the [ ] Program of the [ ] Bar Association for the small firm that provided the greatest amount of pro bono service for representation of indigent clients in [ ] County.

Moreover, Petitioner's rehabilitation, which began more than 2 years prior to his disbarment by consent, has continued throughout the years subsequent to

his disbarment. By affidavit submitted at the reinstatement hearing, [M], owner of the [E] Group and Petitioner's present employer, averred that while Petitioner has been employed by the [E] Group Petitioner has personally directed the disposition of millions of dollars of company funds and has conducted himself at the highest levels of integrity and competence.

The record demonstrates that the Petitioner has used the time since his misconduct and through his subsequent disbarment on consent to participate in meaningful rehabilitation for the problems which resulted in his disbarment. Petitioner put his life in order, made restitution to all clients' whose funds and trust he had abused and has continued to lead an exemplary personal and professional life. The evidence leads to the conclusion that Petitioner has engaged in a qualitative period of rehabilitation since the time of his misconduct and has, therefore, satisfied the *Keller* threshold.

Having successfully satisfied the first tier of the analysis, Petitioner must satisfy the requirements of the second tier. Petitioner must establish satisfactory compliance with Rule 218, Pa.R.D.E. which mandates that Petitioner demonstrate, with clear and convincing evidence, that he has the requisite moral qualifications and learning in the law expected of a Pennsylvania attorney and that his resumption of practice will not be subversive to the interests of the public nor offensive to the integrity of the bar. See Rule 218(c)(3)(i), Pa.R.D.E.

In accord with Pennsylvania case law, Petitioner may prove that he possesses the requisite moral qualifications through the introduction of favorable character testimony by well-respected sources. *In re Anonymous No. 99 DB 84, supra* at 357; *In re Anonymous No. 24 DB 84, supra* at 244. At his hearing on his petition for reinstatement, Petitioner proffered seven uncontroverted favorable character witnesses who attested to his excellent reputation in his community as to truthfulness and honesty and as a peaceful and law abiding citizen. Several of the witnesses were well-regarded members of the bar,

including attorneys who have worked directly with Petitioner in his capacity as a senior executive at [E] Group. There is testimony that Petitioner has been careful not to hold himself out as a practicing lawyer and has never been involved in the giving of legal advice.

Furthermore, Petitioner's pastor, Monsignor [K], testified that he has come to know both Petitioner and his family through their active involvement in parish and church activities. Monsignor [K] described Petitioner and his family as regular churchgoers and testified that Petitioner has the reputation of a peaceful and law abiding citizen who is a truthful and honest person. The testimony submitted amply demonstrates that Petitioner has the moral qualifications required by Rule 218.

During the period of his disbarment, Petitioner has remained informed as to developments in the law. Following his disbarment and until 1990, Petitioner worked part-time in a paralegal capacity for his former law partner, [A]. Since November 1990, in his capacity as a Senior Vice President of the [E] Group, Petitioner has had the opportunity, on a continuous basis, to work with attorneys hired by the company to handle legal aspects of the company's renegotiation matters. Petitioner has further maintained his currency in the law by reading advance sheets and he has attended the required courses for reinstatement. There is sufficient evidence proving Petitioner's competency and learning in the law required for reinstatement to practice law in the Commonwealth of Pennsylvania.

The reinstatement proceeding requires an examination of the character and magnitude of Petitioner's rehabilitative efforts from the time sanctions were imposed, as well as the degree of success achieved in the rehabilitative process. See *Philadelphia Newspapers, Inc. v. Disciplinary Board of the Supreme Court*, 468 Pa. 382, 363 A.2d 779 (1976). Petitioner took the first step toward rehabilitation when he resigned and consented to disbarment. His

acknowledgement of his misconduct was the beginning of the restorative process. *In re Anonymous Nos. 4 & 35 DB 79, supra* at 53.

Moreover, since 1985, Petitioner has worked assiduously and successfully to build a new life. There has been no suggestion that Petitioner has engaged in further misconduct, nor is there any suggestion that Petitioner has practiced law. In 1986 Petitioner married his current wife who testified that he is a strong, supportive family man who has learned how to deal with his problems in a positive and constructive manner.

Furthermore, Petitioner has labored diligently to achieve a position of responsibility as Senior Vice President of the [E] Group. His current employer has testified by affidavit that Petitioner has been absolutely honest about his disbarment and that he enjoys a reputation for truth and competency in the business community. Moreover, Petitioner has taken full responsibility for his actions and has expressed sincere remorse and regret for his misconduct.

"In determining whether reinstatement is warranted...[the Board] must consider...petitioner's present qualifications and competence in legal skills..." *In re Anonymous Nos. 61 DB 85, 62 DB 81, 12 D.&C. 4th 211, 222* (1989) (emphasis in the original) (citations omitted). The Board concludes that the Petitioner's previous misconduct was an aberration that occurred during a very harrowing and traumatic time in Petitioner's private family life, and that he now has the reputation for sound character and honesty in his community. Therefore, the Board finds that permitting Petitioner to resume the practice of law will not have a detrimental effect upon the integrity and standing of the bar, the administration of justice nor be subversive of the public interest.

#### V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania respectfully recommends that your Honorable Court grant the instant petition for reinstatement of Petitioner to the practice of law in the Commonwealth of Pennsylvania.

The Board further recommends that, pursuant to Rule 218(e), Pa.R.D.E.,  
Petitioner be directed to pay the necessary expenses incurred in the  
investigation and processing of said Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

By: \_\_\_\_\_  
Thomas A. Leonard, Member

Date: May 3, 1994

Ms. Lieber did not participate in the adjudication.

Mr. Marroletti recused himself.



PER CURIAM:

AND NOW, this 10th day of June, 1994, upon consideration of the Report and Recommendations of the Disciplinary Board of the Supreme Court of Pennsylvania dated May 3, 1994, the Petition for Reinstatement is granted.

Pursuant to Rule 218(e), Pa.R.D.E., petitioner is directed to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement.

Mr. Justice Frank J. Montemuro is sitting by designation as Senior Justice pursuant to Judicial Assignment Docket No. 94 R1800, due to the unavailability of Mr. Justice Rolf Larsen, see No. 127 Judicial Administration Docket No. 1, filed October 28, 1993.