

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1364 Disciplinary Docket No. 3  
Petitioner :  
: No. 44 DB 2008  
v. :  
: Attorney Registration No. 49480  
DAVID STEVEN BLOOM, :  
Respondent : (Allegheny County)

ORDER

PER CURIAM:

AND NOW, this 2<sup>nd</sup> day of June, 2010, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated April 21, 2010, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that David Steven Bloom is suspended on consent from the Bar of this Commonwealth for a period of six months and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

Mr. Justice McCaffery dissents.

A True Copy Patricia Nicola

As of: June 2, 2010

Attest:

Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

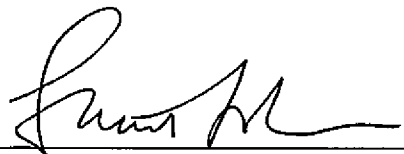
OFFICE OF DISCIPLINARY COUNSEL	:	No. 1364 Disciplinary Docket No. 3
Petitioner	:	
v.	:	No. 44 DB 2008
	:	Attorney Registration No. 49480
DAVID STEVEN BLOOM	:	
Respondent	:	(Allegheny County)

RECOMMENDATION OF THREE-MEMBER PANEL  
OF THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Stewart L. Cohen, David A. Nasatir and Albert Momjian, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on March 22, 2010.

The Panel approves the Joint Petition consenting to a six month suspension and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.

  
\_\_\_\_\_  
Stewart L. Cohen, Panel Chair  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Date: 4/21/10

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1364, Disciplinary Docket  
: No. 3 – Supreme Court  
Petitioner :  
: No. 44 DB 2008 - Disciplinary  
v. : Board  
: DAVID STEVEN BLOOM, : Attorney Registration No. 49480  
: Respondent : (Allegheny County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

Cory John Cirelli  
Disciplinary Counsel  
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and

David Steven Bloom, Esquire  
Respondent  
1139 Oakwood Drive  
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(412) 897-5696

Craig E. Simpson, Esquire  
Counsel for Respondent  
Law Office of Craig Simpson  
1500 Ardmore Boulevard, Suite 207  
Pittsburgh, PA 15221  
(412) 731-3100

**FILED**

MAR 22 2010

Office of the Secretary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1364, Disciplinary Docket
	:	No. 3 – Supreme Court
Petitioner	:	
	:	No. 44 DB 2008 - Disciplinary
v.	:	Board
	:	
DAVID STEVEN BLOOM,	:	Attorney Registration No. 49480
	:	
Respondent	:	(Allegheny County)

JOINT PETITION IN SUPPORT OF DISCIPLINE  
ON CONSENT UNDER RULE 215(d), Pa.R.D.E

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and Cory John Cirelli, Disciplinary Counsel, and Craig E. Simpson, Esquire, Counsel for Respondent and Respondent, David Steven Bloom, file this Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. and respectfully represent as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all

disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

2. Respondent, David Steven Bloom, was born in May 1960 and was admitted to practice law in the Commonwealth of Pennsylvania in November 1987. His address is 1139 Oakwood Drive, Jefferson Hills, PA 15025.

SPECIFIC FACTUAL ADMISSIONS AND  
RULES OF PROFESSIONAL CONDUCT VIOLATED

3. On or about May 15, 2006, the Office of Lawyer Assessment sent Respondent's 2006-2007 PA Attorney's Annual Fee Form by regular mail to what was then his attorney registration address, P.O. Box 10808, Pittsburgh, PA 15236-0808.

4. The regular mail was not returned as undelivered.

5. Respondent did not return the PA Attorney's Annual Fee Form or pay the annual fee by the specified date of July 1, 2006.

6. On or about August 14, 2006, the Office of Lawyer Assessment sent a postcard to Respondent's attorney registration address of P.O. Box 10808, Pittsburgh, PA 15236-0808 by regular mail, to remind Respondent to return his 2006-2007 PA Attorney's Annual Fee Form. (Exhibit A)

7. The regular mail was not returned as undelivered.

8. Respondent did not return the 2006-2007 PA Attorney's Annual Fee Form or pay the annual fee at that time.

9. On or about September 21, 2006, the Office of Lawyer Assessment sent a "final notice" to Respondent's attorney registration address of P.O. Box 10808, Pittsburgh, PA 15236-0808 by certified mail, return receipt requested. (Exhibit B)

10. The return receipt ("green card") was not returned, nor was the certified mailing returned as unclaimed.

11. Respondent did not reply to that notice, nor return his 2006-2007 PA Attorney's Annual Fee Form, nor pay the annual fee at that time.

12. By Order of the Supreme Court of Pennsylvania dated November 15, 2006, Respondent was transferred to inactive status, effective December 15, 2006.

13. By letter dated November 15, 2006, sent by certified mail, return receipt requested, to Respondent's attorney registration address of P.O. Box 10808, Pittsburgh, PA 15236-0808, the Secretary of the Disciplinary Board of the Supreme Court of Pennsylvania notified Respondent of his transfer to inactive status. (Exhibit C)

14. The certified mailing was returned to the Disciplinary Board, which received it on January 9, 2007, bearing the stamped notation "unclaimed." (Exhibit D)

15. On January 19, 2007, Mark A. Pastore, Investigator with the District IV Office of Disciplinary Counsel, contacted Respondent by telephone about Respondent's transfer to inactive status.

16. Respondent informed Mr. Pastore that he was not aware of having been transferred to inactive status.

17. Mr. Pastore provided Respondent with contact information for Suzanne Price, the Attorney Registrar.

18. Respondent told Mr. Pastore that he was not practicing law at that time.

19. Respondent asked Mr. Pastore to provide him with a letter addressed to P.O. Box 10808, Pittsburgh, PA 15236-0808, outlining the necessary steps to take in order to return to active status.

20. By letter to Respondent dated March 7, 2007, Angelea Allen Mitas, Disciplinary Counsel-in-Charge for the District IV Office of Disciplinary Counsel, informed Respondent that he remained on inactive status, referenced his telephone conversation with Mr. Pastore, Respondent's statement that he was

not practicing law and that he understood that he was not permitted to do so unless he took appropriate steps to be placed back on active status. (Exhibit E)

21. Ms. Mitas suggested that Respondent contact Ms. Price to learn the required steps to be placed back on active status and provided Respondent with Ms. Price's contact information.

22. Respondent remained attorney of record after his transfer to inactive status by continuing to represent Esurance Insurance Company in the matter of *Esurance Insurance Company, a Subsidiary of White Mountain Insurance Group, LTD. and Clement Jones, Plaintiffs, v. Chubb Group of Insurance Companies, et al, Defendants*, at number GD 06-015285, in the Court of Common Pleas of Allegheny County.

23. On January 4, 2007, Notice of Service of Request for Production of Documents was served upon Respondent by counsel for defendant Chubb, by first class mail at P.O. Box 10808, Suite 400, Pittsburgh, PA 15236-0808.

24. On April 20, 2007, at 10:38 a.m., Respondent sent an e-mail to Howard J. Schulberg, counsel for defendant Chubb, and apologized "for the delay on the Request for Production of Documents" and stated he was attaching documents that he had received thus far, but was still awaiting receipt of additional documents.

25. On April 20, 2007, at 11:19 a.m., Mr. Schulberg replied to Respondent's e-mail and stated, in part, that the response was not acceptable at



that late date. Mr. Schulberg further stated therein that he learned that Respondent had been transferred to inactive status and, given that circumstance, Respondent would need to send notice to his clients, as well as to the other attorneys involved in the litigation, of his status. (Exhibit F)

26. On May 15, 2007, Respondent prepared and sent to Mr. Schulberg by fax and regular mail a cover letter and a copy of a Motion for Reconsideration of Motion for Sanctions and Order of Court on behalf of Esurance.

27. At no time did Respondent withdraw as counsel for Esurance.

28. At no time did Respondent inform Esurance or its appropriate representative that he had been transferred to inactive status and that he could no longer represent it.

29. At no time did Respondent notify Judge R. Stanton Wettick, the motions judge in the matter, that Respondent had been transferred to inactive status.

30. On May 18, 2007, Respondent presented the Motion for Reconsideration before Judge Wettick.

31. Prior to the presentation, Mr. Schulberg asked Respondent about his inactive status.

32. Respondent replied to Mr. Schulberg that he had taken the necessary steps to be transferred back to active status.

33. Judge Wettick granted the Motion for Reconsideration of Motion for Sanctions that had been presented by Respondent.

34. Respondent remained attorney of record after his transfer to inactive status and continued to represent Christine Pickering in the matter of *Gail J. Critchfield, Holder and Assignee Plaintiff/Respondent v. Christine Pickering, t/d/b/a Knockouts Salon, Defendant/Petitioner* at number GD 06-004987 in the Court of Common Pleas of Allegheny County.

35. On April 2, 2007, Respondent filed a Brief in Support of Petition to Strike Confessed Judgment and Petition to Open Confessed Judgment with a Rule to Show Cause on behalf of Ms. Pickering.

36. In the same matter, on May 14, 2007, Judge Timothy Patrick O'Reilly of the Court of Common Pleas of Allegheny County issued a Memorandum Order of Court.

37. The cover page of Judge O'Reilly's Memorandum Order identifies Respondent as counsel for the defendant.

38. At no time did Respondent withdraw as attorney for Ms. Pickering in the matter of *Critchfield v. Pickering*.

39. At no time did Respondent notify Ms. Pickering that he had been transferred to inactive status, and that he was no longer able to represent her in the matter.

40. At no time did Respondent notify F. Christopher Spina, counsel for Ms. Critchfield, that he had been transferred to inactive status.

41. At no time did Respondent notify Judge O'Reilly that he had been transferred to inactive status.

42. Respondent remained attorney of record after his transfer to inactive status and continued to represent Patsy Pro and Karen Pro in the matter of *Gail J. Critchfield, Holder and Assignee, Plaintiff/Respondent v. Patsy Pro and Karen Pro, Defendants*, at number GD 06-004990, in the Court of Common Pleas of Allegheny County.

43. On April 2, 2007, Respondent filed a Brief in Support of Judgment to Strike Confessed Judgment and Petition to Open Confessed Judgment with a Rule to Show Cause on behalf of Patsy Pro and Karen Pro.

44. On April 3, 2007, Judge O'Reilly issued an Order to which Respondent and Mr. Spina consented.

45. At no time did Respondent withdraw as attorney for Patsy Pro and Karen Pro in the matter of *Critchfield v. Pro*.

46. At no time did Respondent notify Patsy and Karen Pro that he had been transferred to inactive status and that he could no longer represent them.

47. At no time did Respondent notify Mr. Spina, counsel for Ms. Critchfield, that he had been transferred to inactive status.

48. At no time did Respondent notify Judge O'Reilly that he had been transferred to inactive status.

49. Respondent remained attorney of record after his transfer to inactive status and continued to represent Louis DeMoss and Roberta DeMoss, his wife, in the matter of *Rick Beggs, Plaintiff v. Louis DeMoss and Roberta DeMoss, his wife, Defendants*, at number 1902 of 2006, in the Court of Common Pleas of Westmoreland County.

50. On April 19, 2007, Respondent filed a Notice of Appeal From Award of the Board of Arbitration on behalf of Louis DeMoss and Roberta DeMoss.

51. At no time did Respondent withdraw as attorney for Louis DeMoss and Roberta DeMoss.

52. At no time did Respondent notify Louis DeMoss and Roberta DeMoss that he had been transferred to inactive status or that he could no longer represent them.

53. At no time did Respondent notify Bernard T. McArdle, counsel for Rick Beggs, that he had been transferred to inactive status.

54. Respondent failed to file a verified statement with the Disciplinary Board showing his compliance with Rule 217, Pa.R.D.E.

55. Respondent's 2007-2008 PA Attorney's Annual Fee Form stated, among other things, that he had been "INACTIVE SINCE: 12/15/2006."

56. On or about May 17, 2007, Respondent completed and submitted to the Office of Lawyer Assessment his 2007-2008 PA Attorney's Annual Fee Form.

57. Respondent checked box number 14 indicating "I DESIRE **ACTIVE** STATUS AND AM ENCLOSING THE TOTAL PAYMENT DUE, PAYABLE TO **LAWYER ASSESSMENT.**" (Emphasis original) (Exhibit G)

58. Respondent included the total payment due, including arrearages, of \$550.

59. Respondent's form was received by the Office of Lawyer Assessment on June 8, 2007.

60. Respondent was transferred to active status on July 1, 2007.

61. By his conduct as alleged in Paragraphs 3 through 60 above, Respondent violated the following Rules of Professional Conduct and Rules of Disciplinary Enforcement:

(a) Rule of Professional Conduct 5.5(a) – "A lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so."

(b) Rule of Professional Conduct 8.4(d) – "It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice."

(c) Rule of Disciplinary Enforcement 217(b) – "A formerly admitted attorney shall promptly notify, or cause to be notified, by registered or certified mail, return receipt requested, all clients who are involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension or transfer to inactive status and consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension or transfer to inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to status, it shall be the responsibility of the formerly admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney."

(d) Rule of Disciplinary Enforcement 217 (e) – "Within ten days after the effective date of the disbarment, suspension or transfer to inactive status order, the formerly admitted attorney shall file with the Board a verified statement showing: (1) that the provisions of the order and these rules have been fully complied with; and (2) all

other state, federal and administrative jurisdictions to which such person is admitted to practice. Such statement shall also set forth the residence or other address of the formerly admitted attorney where communications to such person may thereafter be directed."

(e) Rule of Disciplinary Enforcement 217 (j)(1) – "A formerly admitted attorney may not engage in any form of law-related activities in this Commonwealth except in accordance with the following requirements: (1) All law-related activities of the formerly admitted attorney shall be conducted under the supervision of a member in good standing of the Bar of this Commonwealth who shall be responsible for ensuring that the formerly admitted attorney complies with the requirements of this subdivision (j). If the formerly admitted attorney is engaged by a law firm or other organization providing legal services, whether by employment or other relationship, an attorney of the firm or organization shall be designated by the firm or organization as the supervising attorney for purposes of this subdivision."

(f) Rule of Disciplinary Enforcement 217(j)(2) – "For purposes of this subdivision (j), the only law-related activities that may be conducted by a formerly admitted attorney are the following: (i) legal work of a preparatory nature, such as legal research, assembly of data and other necessary information, and drafting of

transactional documents, pleadings, briefs, and other similar documents; (ii) direct communication with the client or third parties to the extent permitted by paragraph (3); and (iii) accompanying a member in good standing of the Bar of this Commonwealth to a deposition or other discovery matter or to a meeting regarding a matter that is not currently in litigation, for the limited purpose of providing clerical assistance to the member in good standing who appears as the representative of the client."

(g) Rule of Disciplinary Enforcement 217(j)(4)(ii) – "Without limiting the other restrictions in this subdivision (j), a formerly admitted attorney is specifically prohibited from engaging in any of the following activities: (ii) performing any law-related services from an office that is not staffed by a supervising attorney on a full time basis."

(h) Rule of Disciplinary Enforcement 217(j)(4)(iv) – "Without limiting the other restrictions in this subdivision (j), a formerly admitted attorney is specifically prohibited from engaging in any of the following activities: (iv) representing himself or herself as a lawyer or person of similar status."

(i) Rule of Disciplinary Enforcement 217(j)(4)(vi) – "Without limiting the other restrictions in this subdivision (j), a formerly admitted attorney is specifically prohibited from engaging in any of



the following activities: (vi) rendering legal consultation or advice to a client."

(j) Rule of Disciplinary Enforcement 217(j)(4)(vii) – "Without limiting the other restrictions in this subdivision (j), a formerly admitted attorney is specifically prohibited from engaging in any of the following activities: (vii) appearing on behalf of a client in any hearing or proceeding or before any judicial officer, arbitrator, mediator, court, public agency, referee, magistrate, hearing officer or any other adjudicative person or body."

#### AGGRAVATING AND MITIGATING FACTORS

62. Respondent failed to accept the certified mailing of the Disciplinary Board's notice that he had been placed on inactive status by Order of the Supreme Court of Pennsylvania.

63. Respondent continued to represent four separate clients in their litigation matters during the period that he was on inactive status.

64. Respondent has received no prior discipline.

65. Respondent sincerely regrets and is remorseful for his failure to comply with his responsibility to maintain the status of his license to practice law, and for continuing to practice law after he was placed on inactive status.

66. The duration of the period during which Respondent engaged in the unauthorized practice of law was approximately six months.

67. During the period of Respondent's inactive status he did not market his services in any way, did not engage in any networking activities, nor did he do anything else to attempt to attract legal business.

#### SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE

68. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension from the practice of law for a period of six (6) months.

69. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed Affidavit required by Rule 215(d), Pa.R.D.E., stating that he consents to the recommended discipline, including the mandatory acknowledgements contained in Rule 215(d)(1)-(4), inclusive, Pa.R.D.E.

#### APPLICABLE PRECEDENT AND HOW THE RECOMMENDED DISCIPLINE COMPARES WITH DISCIPLINE IMPOSED IN REPORTED CASES

70. The Supreme Court of Pennsylvania has determined that practicing law while on inactive status is a serious disciplinary offense. A lawyer has an affirmative duty to maintain the status of his license if he continues to practice law. A suspension of one year and one day has been the disciplinary sanction most often imposed for such misconduct. *Office of Disciplinary Counsel v.*

*Goldin-Didinsky*, No. 87 DB 2003, No. 969 Disciplinary Docket No. 3 (2004) 14;  
*Office of Disciplinary Counsel v. Karen R. Mainor*, No. 135 DB 2005, No. 1308  
Disciplinary Docket No. 3 (2008) 15-16.\*

71. In the *Mainor* case, *supra*, the attorney engaged in the practice of law with respect to three matters in litigation and by accepting a retainer to prepare a business plan in a nonlitigation matter after she had been notified of her transfer to inactive status. *Id.* at 14. Among other violations, Mainor was found to have knowingly made a false statement of material fact or law to a tribunal, and to have engaged in conduct involving dishonesty, fraud, deceit or misrepresentation. *Id.* at 12-13. The Board found that Mainor's testimony led to the conclusion that "she still does not fully acknowledge that her actions were wrong." *Id.* at 15. Mainor also had a prior history of discipline consisting of an Informal Admonition and a Private Reprimand. *Id.* at 3. Both the hearing committee and the Board recommended that Mainor be suspended for a period of one year and one day. The Supreme Court concurred in that recommendation and suspended Mainor for one year and one day. *Id.* at 16-17.

72. In the *Goldin-Didinsky* matter, *supra*, although the attorney did not have a record of prior discipline, the Board concluded that Goldin-Didinsky "appears to have little interest in the disciplinary proceedings against her nor

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\* To access an unpublished Disciplinary Board Report go to <http://www.pacourts.us> . Click on Supreme Court Opinions, from the pull-down box for "Court Type" select Disciplinary Board, click "search," then enter the Disciplinary Board case number (be sure to use the four-digit year for the case in the Board Docket Number field), and select an appropriate Date Range according to the year of the case (e.g., 1/01/1995 – Today's Date). Click search, then click on the pdf link to the Opinion.

greatly cares about the ultimate result. She does not believe that she has done anything wrong." *Id.* at 11-12. It was also concluded that Goldin-Didinsky "led the courts to believe that she had an office in Pennsylvania by providing letterhead with a fraudulent address. She was evasive with the court administrator when directly questioned about her admission status in Pennsylvania." *Id.* at 14. The Hearing Committee recommended that a Public Censure was appropriate. *Id.* at 2. The Board recommended a suspension of one year and one day. The Court imposed a suspension of one year and one day. *Id.* at 14-15.

73. *Office of Disciplinary Counsel v. Donald Brown*, No. 134 DB 2005, No. 1217 Disciplinary Docket No. 3 (2007) (an as yet an unreported case), involved Brown engaging in the unauthorized practice of law while on inactive status for failure to meet his CLE requirements and failing to file his annual registration form and pay his annual fee. *Id.* at 16. Brown testified that he was not actively practicing law during the time he was on inactive status, but the Board concluded that he was not truthful because the record showed that he actively litigated four matters during the period of 2002 through 2005 and that he had referred personal injury cases for which he received referral fees. *Id.* at 16-17. Brown claimed that he had not received actual notice of his transfer to inactive status and that his transfer was an administrative error. *Id.* at 17. Although Brown had no prior record of discipline (*Id.* at 18), the Board concluded that he "demonstrated a failure to take responsibility for his actions, a contemptuous attitude toward the entire disciplinary process, and showed no

remorse whatsoever." *Id.* at 20. The Board recommended that Brown be suspended for a period of one year and one day. The Supreme Court adopted that recommendation and imposed a suspension of one year and one day. *Id.* at 21-22.

74. *Office of Disciplinary Counsel v. Gustee Brown, No. 64 DB 2003, 71 Pa. D. & C.4<sup>th</sup> 99 (2004)*, involved Brown's practice of law while on inactive status in representing approximately 120 clients in criminal cases, and 97 of those as an assistant public defender. The Board concluded:

Clearly [Brown] was irresponsible in not reading his mail and contacting the office of the executive director and secretary. [Brown] also does not dispute the fact that he received notices from attorney registration and that he knew they contained bills requiring payment. *Id.* at 108.

The Board concluded from Brown's testimony that he had engaged in a conscious decision not to pay his registration fees with the idea that he would simply ask the Board to restore him to active status at a later date. In Brown's case, he had not been the subject of prior discipline, did not mistreat his clients and there were no allegations that he mishandled cases. However, the volume of clients Brown represented clearly distinguishes the cited case from the case at bar. The Board concluded that an attorney is expected to be aware of the status of his privilege to practice law and that Brown received the notice of his inactive status but admitted that he did not pay attention to it. The Board held that Brown's failure to attend to his professional licensure resulted in the unauthorized practice of law and demonstrated a "general unfitness to practice law in

Pennsylvania." The Board recommended that Brown be suspended from the practice of law for a period of one year, followed by probation for a period of two years, subject to conditions. The Court chose, instead, to suspend Brown for a period of one year and one day. *Id.* at 110-112.

75. In *Office of Disciplinary Counsel v. John D. Enright*, No. 136 DB 2002, No. 890 Disciplinary Docket No. 3 (2003) (an as yet unreported case) Enright was found to have violated Rule of Professional Conduct 5.5(b) (unauthorized practice of law), 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), Enforcement Rule 217(b) (promptly notify all clients and counsel involved in pending litigation the attorney's disbarment, suspension or transfer to inactive status), Enforcement Rule 217(d) (attorney transferred to inactive status shall not accept any new cases), and Enforcement Rule 217(e) (file a verified statement of compliance with the Board within ten days after the effective date of the disbarment, suspension or transfer to inactive status). Enright also failed to appear for his disciplinary hearing, which was considered as an aggravating factor. The Board found that by continuing to hold himself out as an attorney, Enright violated the Supreme Court's Order transferring him to inactive status. His disregard for the Order and his other actions violated the Rules of Professional Conduct and Rules of Disciplinary Enforcement. The hearing committee recommended a suspension of one year and one day. The Board concurred, insofar as Enright's failure to appear at the disciplinary hearing left the record with no evidence of his fitness and competence to practice law. *Id.*

at 8-9. The Supreme Court adopted the Board's recommendation and suspended Enright for one year and one day. *Id.* at 11.

76. In *Office of Disciplinary Counsel v. William Emanuel Papas*, Nos. 12 DB 2003 and 80 DB 2003, 78 Pa. D. & C.4<sup>th</sup> 89 (2005), Papas was found to have violated, in five separate client matters, Rules of Professional Conduct 1.3 (diligence), 1.4(a) and 1.4(b) (communication), 1.16(d) (protection of a client's interests upon termination), 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), 5.5(b) (unauthorized practice of law), Enforcement Rules 217(a) (promptly notify all clients in pending matters other than litigation of the lawyer's disbarment, suspension, or transfer to inactive status), Enforcement Rule 217(b) (promptly notify all clients and opposing counsel in litigation of the attorney's disbarment, suspension or transfer to inactive status), and Enforcement Rule 217(d) (accepting new cases). *Id.* at 92-100. Papas continued to practice law after the effective date of the Supreme Court Order placing him on inactive status and he failed to notify a client of his transfer, in addition to accepting new cases, filing pleadings and appearing in court to represent clients. The Board concluded that Papas's misconduct warranted the imposition of public discipline because he ignored his responsibilities to his clients and to the court by continuing to practice in defiance of the Supreme Court's Order. *Id.* at 100-101. Papas took full responsibility for his misconduct and offered in mitigation the death of his wife (which had occurred two years after the court placed him on inactive status). The Board, however, also found as an aggravating factor a criminal conviction

involving cocaine, which had occurred ten years prior to the entry of the Order placing him on inactive status. *Id.* at 101. The Board recommended that Papas be suspended for one year and one day. The Supreme Court, instead, suspended him for a period of two years. *Id.* at 102-104.

77. In *Office of Disciplinary Counsel v. Thomas Joseph Coleman, III*, No. 98 DB 2003, 78 Pa. D. & C.4<sup>th</sup> 104 (2005), Coleman was charged in a ten-count Petition for Discipline with practicing law after having been transferred to inactive status. The certified mail notice had been signed for by Coleman's agent at his New Jersey law firm. Coleman testified that he had no "present recollection of having received a letter" from the Board Secretary, but he had "no reason to think such documents were not received," and did not doubt the veracity of the allegations. *Id.* at 108-109. Coleman was found to have violated Rules of Professional Conduct 1.16(a)(1) (representing a client in violation of the Rules of Professional Conduct), 5.5(b) (unauthorized practice of law), 7.1(a) (making a false or misleading communication about the lawyer or lawyer's services), 7.5(a) (use of a firm name, letterhead or other professional designation in violation of Rule of Professional Conduct 7.1), 7.5(b) (failure to indicate jurisdictional limitations of lawyer's identified with a particular office), 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), Rules of Disciplinary Enforcement 217(d) (accepting a new retainer after transfer to inactive status) and 217(j) (engaging in law-related activities and representing one's self as a lawyer). *Id.* at 121-122. Coleman signed hundreds of pleadings as an attorney of record in Pennsylvania when he



was not licensed to do so. Coleman stated that he was unable to recall receiving his annual attorney fee forms from 1996 to 1998 and he did not remember filing a petition for reinstatement from inactive status in 1999. He believed he could sign Pennsylvania pleadings as an inactive attorney, yet he failed to verify his belief by making the appropriate inquiries. *Id.* at 122-123. The Board concluded that Coleman was aware that he was on inactive status and aware that he needed to complete CLE credits. He became aware that his signatures on Pennsylvania pleadings were improper because it had been brought to his attention by opposing counsel, who had filed preliminary objections (in a motion to strike on the basis) that Coleman was not licensed in Pennsylvania. Nevertheless, Coleman took no remedial action and proceeded as though he was on active status in Pennsylvania. The Board stated "there is no question that [Coleman] engaged in serious misconduct by signing hundreds of pleadings in knowing violation of a Supreme Court Order prohibiting him from the practice of law." The Board recommended a suspension of one year and one day. In *Coleman* the Supreme Court opted to impose a two-year suspension, rather than concur in the Board's recommendation for a suspension of one year and one day. *Id.* at 126-128.

78. In *Office of Disciplinary Counsel v. Steven Clark Forman*, No. 70 DB 2001 (an as yet an unreported case), Forman, who had no prior discipline, but had practiced law for 12 years while on inactive status due to his failure to pay his annual fee and his failure to meet his CLE requirements, attempted to excuse his misconduct by claiming that he had not received notification of his transfer.

The record in that case showed that Forman had failed to provide a change of address to the Disciplinary Board as mandated by the Rules of Disciplinary Enforcement. Forman's testimony concerning his lack of knowledge that CLE was mandatory was found by the Board to be "legally ineffective and, quite frankly, incredible." *Id.* at 7. The Board recommended a suspension of three months. The Supreme Court suspended Forman for one year and one day. *Id.* at 8-9.

79. In *Office of Disciplinary Counsel v. Harry Curtis Forrest, Jr.*, No. 134 DB 2003, No. 996 Disciplinary Docket No. 3 (2004), Forrest was found to have violated Rules of Professional Conduct 5.5(b) (unauthorized practice of law), 7.5(a) (using letterhead in violation of Rule 7.1), 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice), Enforcement Rules 217(b) (failure to notify clients and counsel involved in pending litigation of the attorney's transfer to inactive status), 217(c) (failure to notify all other persons with whom the attorney might have professional contacts of his transfer to inactive status), 217(d) (accepting a new retainer after the effective date of transfer to inactive status), 217(e) (failure to file with the Board a verified statement of compliance within ten days after the effective date of transfer to inactive status), and 217(j) (engaging in any form of law-related activities except in accordance with the provisions of that rule). *Id.* at 346-347. Forrest had no discipline of record. However, he stated that he had hoped that no one in the court system would discover that he was on inactive status. *Id.* at 3, 6. Regarding Forrest's unauthorized practice of law, the Board

relied upon its decision in *Forman* to conclude that "even when an attorney claims he never received notice of his transfer to inactive status, the Court has imposed a suspension of one year and one day." *Id.* at 351. The Board concluded that:

In sum, the Supreme Court does not tolerate lawyers who take a lax approach to the administrative rules governing the practice of law. Even in situations where lawyers lack disciplinary records and have otherwise good reputations, the court finds their misconduct contemptuous and requires them to be suspended for one year and one day, thus obligating the lawyer to petition for reinstatement in the future. *Id.* at 351-352.

The Court suspended Forrest for one year and one day.

80. *Office of Disciplinary Counsel v. Julie Ann Marzano*, No. 46 DB 2006, No. 1262 Disciplinary Docket No. 3 (2007) (an as yet unreported case), involved Marzano's unauthorized practice of law in three separate matters after she had been placed on inactive status. Marzano admitted to engaging in unauthorized practice in violation of Rules of Professional Conduct 5.5(a), 5.5(b) (unauthorized practice of law), 7.1 (making a false or misleading communication about the lawyer or lawyer's services), 7.5(b) (a law firm with offices in more than one jurisdiction must indicate the jurisdictional limitations on those not licensed to practice in the jurisdiction where the office is located), 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), 8.4(d) (conduct prejudicial to the administration of justice) and several subsections of Rule of Disciplinary Enforcement 217(d) (formerly admitted attorneys). *Id.* at 9-13. Marzano attempted to mitigate her misconduct by offering evidence of a diagnosis of

depression, which she alleged had caused her misconduct. Although Marzano was able to establish that her depression was a causal factor for her failure to take CLE credits, she failed to establish causation between her depression and her unauthorized practice of law. Therefore, the Board declined to accept the Hearing Committee's recommendation for a suspension of six months and, instead, recommended that Marzano be suspended for a period of nine months. The Board noted that Marzano had no prior record of discipline, her practice of law during the time in question was limited and she expressed sincere remorse and apologized for her violations of the Rules. *Id.* at 14. The Court concurred in the Board's recommendation and suspended Marzano for a period of nine months.

81. In *In Re Anonymous [Simon Belli] No. 123 DB 1996*, 41 Pa. D. & C.4<sup>th</sup> 290 (1998), Belli received from the CLE Board a final compliance report. The report advised Belli of the steps to be taken to meet his CLE requirements and warned him of the consequences of non-compliance. Belli did not comply. The Supreme Court entered an order transferring him to inactive status and, as a follow-up to the Court's Order, the Disciplinary Board corresponded with Belli informing him of the existence of the Court's Order and his consequent obligations under Rule 217, Pa.R.D.E. The Disciplinary Board found that "Interspersed with these events and with the ensuing disciplinary process, [Belli] continued to represent [his client] in connection with an automobile accident . . . , [Belli] agreed to represent [his client] on a contingent fee basis . . . at a time when [Belli] was on inactive status . . . ." The Board further determined:

[Belli] states that he was unaware that he was "inactive" when he filed the civil complaint. This claim cannot be refuted since the notice from the board was returned "unclaimed" and since [Belli] stated that he did not see the published notice in either local newspaper or bar journal. The claim would also involve, however, an inexplicable ignorance of the advisory notices contained in the ... letters from the CLE board.

It is unnecessary to determine the precise date when [Belli] learned of his status. In the first place, it is not unreasonable to expect an attorney to be continuously aware of the status of his privilege to practice law. *Id.* at 298-299.

Belli had no prior discipline of record and there was no finding that he failed his client in any fashion during the representation, but the Board concluded that "What [Belli] mishandled gravely was the matter of his own professional standing. By his willful failure to adhere to the rules of the disciplinary process, [Belli] turned a remediable situation into an outright defiance of the legal system." *Id.* at 299. The Board determined that it was fortunate Belli's unauthorized practice of law was limited in scope, but even with that limitation he completely disregarded the Rules governing all attorneys, defied an order of the Supreme Court, ignored his compliance requirement, and "remained undeterred by the petition for discipline filed against him." *Id.* at 301. The Board recommended that Belli be suspended from the practice of law for six months. The Supreme Court concurred in that recommendation and suspended Belli for six months. *Id.* at 302.

82. In *Office of Disciplinary Counsel v. John V. Buffington*, No. 45 DB 2004, 79 Pa. D. & C.4<sup>th</sup> 213 (2005), Buffington was transferred to inactive status for failure to comply with his CLE requirements. He was notified of that transfer

and the responsibilities related to it, but failed to comply with the Enforcement Rules. Buffington engaged in the practice of law by advising clients, preparing documents and appearing in court. Buffington's explanation for his misconduct was that he was helping a friend and a former client, each of whom had requested his help. He advised those persons of his inability to assist them, yet he did so anyway. *Id.* at 221. At the time of the disciplinary hearing into Buffington's misconduct he admitted his violations of the rules and apologized. He terminated his participation in all legal matters and notified his clients and others of his inactive status. Buffington had no prior history of discipline. *Id.* at 222. The Board concluded that Buffington's actions:

fall within the lower ranges of misconduct and do not warrant a one year and one day suspension. [Buffington] engaged in very limited acts of legal representation for a short time frame while on inactive status. *Id.* at 223.

The Board recommended that Buffington be suspended for a period of six months and the Supreme Court adopted that recommendation and suspended Buffington for six months. *Id.* at 224.

83. *In Re Anonymous No. 201 DB 2003* (an as yet unreported case), involved the attorney's preparation and filing of a Petition for Certiorari with the United States Supreme Court. He was not admitted to practice before that court. Following the attorney's transfer to inactive status, he engaged in the unauthorized practice of law by communicating with the prosecuting attorney. He also failed to inform his clients in three other cases (on appeal to the Superior

Court of Pennsylvania) of his transfer to inactive status and failed to withdraw his appearance in those matters. The attorney had no prior discipline. After a hearing at which the attorney expressed remorse the Disciplinary Board imposed a private reprimand based upon the recommendation of the hearing committee.

84. The key aggravating factors in the instant matter are Respondent's decision to remain as counsel of record for four separate clients in litigation, although he knew that he had failed to return his annual fee form and pay his annual fee in a timely manner, and his failure to accept certified mail at his attorney registration address. The counterbalancing mitigating factors for Respondent are that he has no prior discipline of record, his cooperation in this process and, although he continued to practice law while on inactive status, he did so during a limited window of time and did not solicit new clients during that time. Respondent sincerely regrets continuing to practice law after he failed to return his annual fee form and pay his annual fee in a timely manner.

85. Because Respondent is willing to admit to both the factual findings and the conclusions of law and accept a suspension of his license to practice law as a result of his serious misconduct in this matter, an appropriate disposition of this matter is the imposition of a suspension for a period of six months.

86. By his conduct as alleged in paragraphs 3 through 85 above, Respondent, having violated Rules of Professional Conduct 5.5(a) and 8.4(d) and Pennsylvania Rules of Disciplinary Enforcement 217(b), 217(e), 217(j)(1), 217(j)(2), 217(j)(4)(ii), 217(j)(4)(iv), 217(j)(4)(vi) and 217(j)(4)(vii).

WHEREFORE, Petitioner and Respondent respectfully request that:

(a) Pursuant to Rules 215(e) and 215(g), Pa.R.D.E., the three member panel of the Disciplinary Board approve the Joint Petition in Support of Discipline on Consent;

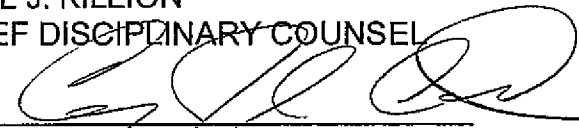
(b) The Board file with the Supreme Court of Pennsylvania the Joint Petition and the panel's recommendation that the Supreme Court suspend Respondent from the practice of law for a period of six (6) months; and,

(c) Pursuant to Rule 215(i), Respondent be ordered to pay the necessary expenses incurred in the investigation and prosecution of this matter as a condition to the grant of the Petition and that all expenses be paid by Respondent before the imposition of discipline under Rule 215(i), Pa.R.D.E.

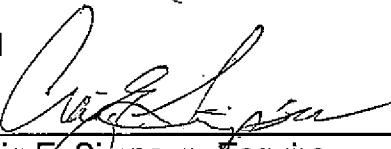
Respectfully submitted,

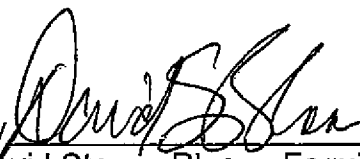
OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION  
CHIEF DISCIPLINARY COUNSEL

By   
Cory John Cirelli  
Disciplinary Counsel

and

By   
Craig E. Simpson, Esquire  
Counsel for Respondent

By   
David Steven Bloom, Esquire  
Respondent



BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA


OFFICE OF DISCIPLINARY COUNSEL, : No. 1364, Disciplinary Docket  
: No. 3 – Supreme Court  
Petitioner :  
: No. 44 DB 2008 - Disciplinary  
v. : Board  
: Attorney Registration No. 49480  
DAVID STEVEN BLOOM, :  
Respondent : (Allegheny County)

VERIFICATION

The statements contained in the foregoing Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. are true and correct to the best of our knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

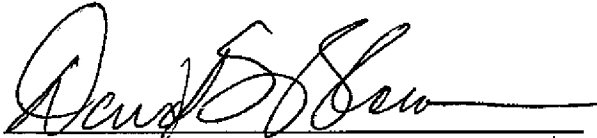
3/18/10

Date

  
Cory John Cirelli  
Disciplinary Counsel

3-17-10

Date

  
David Steven Bloom, Esquire  
Respondent

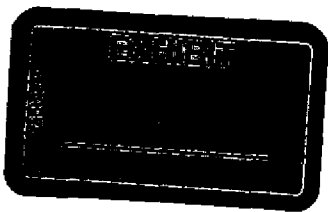
March 17, 2010

Date

  
Craig E. Simpson, Esquire  
Counsel for Respondent

Disciplinary Board of the Supreme Court of PA

Apply Late Charges to Attorney on:		08/14/2006	Current Status equal to		07/01/2003	Status equal to
ID	Name	Date	Status	Vol Inactive	Supreme Ct Order	
49217	Miller, Kerwin E.	07/01/2005	I		07/01/2005	
49245	Stone, Allen	07/01/2005	I		07/01/2004	
49252	Welsh, Barbara Allison	07/01/2004	I		07/01/2003	
49263	Rigler, Lionel Samuel	12/09/2004	I		07/01/2004	
49286	Moore, Michael Alfred	07/01/2005	A			
49309	Stadtmauer, Richard P.	07/01/2005	A			
49310	Smokevitch, John Michael	11/28/2005	I			11/26/2005
49327	McConnell, Thomas Grant Jr.	07/01/2005	A			
49337	O'Brien, John Sebastian II	07/01/2005	A			
49341	Jennifer, Nancie Susan	11/14/2005	A			
49352	Lichtenwalner, Lois H.	07/01/2005	A			
49358	Merow, William Wayne Jr.	10/03/2005	I		07/01/2003	
49367	Nutting, William Ogden	07/01/2005	A			
49392	Little, Harvey Edward	07/01/2005	A			
49406	Tobin, Frances	07/01/2005	A			
49418	Crowell, Barry Evan	08/25/2005	I			08/25/2005
49426	Willcox, Thomas C.		I		03/22/2004	
49438	Dupee, Matthew David	07/01/2005	A			
49459	Feldman, Laura Ann	07/01/2005	A			
49476	Banks, Alexander William	04/20/2006	I			04/20/2006
49480	Bloom, David Steven	07/01/2005	A			
49482	Boyle, Robert G.	07/01/2005	A			
49483	Grogan, Nancy Brennan	09/28/2005	A			
49496	Creamer, J. Shane Jr.	10/17/2005	A			
49498	Czerpak, M. J.	07/01/2005	A			
49501	D'Emillo, Deanne Homer	07/01/2005	A			
49533	Levitt, Marc Edmund	07/01/2005	A			
49550	Maynard, Wayne R.	07/01/2005	A			
49554	Meehan, Brian P.	07/01/2005	A			
49557	Middleman, Lisa G.	07/01/2005	A			
49560	Muscante, Falco A.	07/01/2005	A			
49571	Porter, John J.	07/01/2005	A			
49575	Rice, David J.	07/01/2005	A			
49581	Sebastian, Robert David	10/03/2005	A			
49584	Smerconish, Michael A.	07/01/2005	A			
49597	Wates, Carol Lynn	07/01/2005	A			
49607	Losler, Sharon Williams	07/01/2005	A			
49609	Woods, Wendy Zoe		I		07/01/2003	
49620	Cole, William C.	07/01/2005	A			
49622	Del Duca, Maureen Frances	09/30/2005	A			
49649	Graboski, Edward T. J.	07/01/2005	A			
49718	Miller, Julie K.	07/01/2005	A			
49722	Rago, John T.	07/01/2005	A			
49830	Capone, Joseph P.	07/01/2005	A			
49836	Clarke, Jennifer R.	07/01/2005	A			
49841	Deratzian, David L.	07/01/2005	A			
49919	Brand, Judith P.	07/01/2005	R		07/01/2005	
49934	Coates, Maryanne C.	09/28/2005	A			
49936	Conaway, Stephen F. Donald	10/03/2005	A			
49942	Cure, Candy	07/01/2005	I		07/01/2003	



**2006-2007 PA ATTORNEY'S ANNUAL FEE/FORM  
WAS DUE JULY 1, 2006**

If you desire **ACTIVE** status for the 2006-2007 assessment year or if you were on active status during the 2005-2006 assessment year and you have not filed the annual fee form, a late payment penalty of \$100.00 will be assessed if fee form and/or payment are not **RECEIVED** on or before **September 15, 2006\***. After 30 days, the names of every attorney who has failed to respond to this notice shall be certified to the Supreme Court, at which time the late payment penalty will be increased to \$200.00.

If your status was **INACTIVE** or **RETIRED** for the 2005-2006 assessment year and you have an original inactive status date of 7/1/2003, unless you pay by September 15, 2006, you will be over three (3) years inactive and will be required to file a petition for reinstatement in order to resume the practice of law.

If you need a duplicate form, please visit our website at [www.padboard.org](http://www.padboard.org).

**\*POSTMARK ON ENVELOPE WILL NOT BE HONORED  
LATE FEES WILL BE ASSESSED**

**2006-2007 PA ATTORNEY'S ANNUAL FEE/FORM  
WAS DUE JULY 1, 2006**

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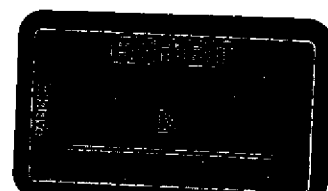
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If you need a duplicate form, please visit our website at [www.padboard.org](http://www.padboard.org).

**\*POSTMARK ON ENVELOPE WILL NOT BE HONORED  
LATE FEES WILL BE ASSESSED**

Disciplinary Board of the Supreme Court of PA

Apply Late Charges to Attorney on:		09/18/2006	Current Status equal to	06/30/2006	Late Charge	100.00	Status equal to
ID	Name	Date	Status	Other Chrg			
47627	Ponziano, Robert Brian	07/01/2005	A		100.00		
47630	Reichley, Douglas Grant	07/01/2005	A		100.00		
47654	Cohen, Richard James	07/01/2005	A		100.00		
47770	Kaiser-Hipp, Kristina Adele	05/19/2006	A		100.00		
47834	Stevens, Walter S.	07/01/2005	A		100.00		
47956	Claypole, Robert William	07/01/2005	A		100.00		
47978	Cimino, Kathy A.	07/01/2005	A		100.00		
48207	Meyers, Robert J.	07/01/2005	A		100.00		
48209	Mendez, Joaquin Jr.	11/04/2005	A		100.00		
48300	Mallace, Anthony N.	07/01/2005	A		100.00		
48394	Weisman, Daniel Lee	03/06/2006	A		100.00		
48499	Winstead, David Legendre	07/01/2005	A		100.00		
48536	Wilcox, James Francis	07/01/2005	A		100.00		
48708	Compton, James Whitney	07/01/2005	A		100.00		
48732	Edelman, Diane Penneys	07/01/2005	A		100.00		
48849	Pemberton, Christian A.	07/01/2005	A		100.00		
48965	Cline, David Paul	07/01/2005	A		100.00		
49019	Mallory, Bemeter	07/01/2005	A		100.00		
49028	Messam, Patrick Alonzo Jr.	07/01/2005	A		100.00		
49054	Ral-Choudhury, Indira	07/01/2005	A		100.00		
49104	Allen, Clarence E.	11/16/2005	A		100.00		
49118	Beatty, Roble A.	07/01/2005	A		100.00		
49187	Jivens-McRae, Grace H.	09/26/2005	A		100.00		
49189	Lewis, F. Lee	10/11/2005	A		100.00		
49286	Moore, Michael Alfred	07/01/2005	A		100.00		
49309	Stadtmauer, Richard P.	07/01/2005	A		100.00		
49341	Jennifer, Nancie Susan	11/14/2005	A		100.00		
49367	Nutting, William Ogden	07/01/2005	A		100.00		
49459	Feldman, Laura Ann	07/01/2005	A		100.00		
49480	Bloom, David Steven	07/01/2005	A		100.00		
49483	Grogan, Nancy Brennan	09/28/2005	A		100.00		
49533	Levitt, Marc Edmund	07/01/2005	A		100.00		
49560	Muscante, Falco A.	07/01/2005	A		100.00		
49575	Rice, David J.	07/01/2005	A		100.00		
49584	Smerconish, Michael A.	07/01/2005	A		100.00		
49841	Deratzian, David L.	07/01/2005	A		100.00		
50021	Nolan, Christine Sobiech	07/01/2005	A		100.00		
50153	Bianchi, Marc Douglas	07/01/2005	A		100.00		
50177	Cinpinski, Barbara Ann	07/01/2005	A		100.00		
50210	Gaier, Michael Howard	07/01/2005	A		100.00		
50296	Mitchell, Suzanne M.	07/01/2005	A		100.00		
50365	Taylor, Calvin Jr.	11/30/2005	A		100.00		
50408	Dougherty-Metzger, Elisa Anne	07/01/2005	A		100.00		
50518	Casey, Lawrence J. Jr.	07/01/2005	A		100.00		
50575	Saiter, Dianne S.	11/14/2005	A		100.00		
50640	Crook, Evan H. C.	07/01/2005	A		100.00		
50699	Leary, John James III	07/01/2005	A		100.00		
50764	Shovlin, George Francis	07/01/2005	A		100.00		
50893	Tucker, Shelley Lane	12/07/2005	A		100.00		
50900	Zerr, John Mark	07/01/2005	A		100.00		





ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS  
1515 MARKET STREET, SUITE 1414  
PHILADELPHIA, PENNSYLVANIA 19102  
(215) 560-6300

September 21, 2006

**FINAL NOTICE OF NONPAYMENT OF ANNUAL FEE  
FOR 2006-2007**

Dear Attorney:

Our records indicate that this office mailed you an annual fee form and request for payment for the 2006-2007 Assessment Year, and that you have not yet made the required payment or filed the required form for the assessment year ending June 30, 2007.

Rule 219 and Rule 502(b) of the Pennsylvania Rules of Disciplinary Enforcement require every attorney admitted to practice in any Court of this Commonwealth, except judges and inactive attorneys, to pay an annual fee of \$175.00, (which comprises the yearly assessments for the Disciplinary Board and the Pennsylvania Lawyers Fund for Client Security) and to file an information statement on or before July 1 of every year.

Under Rule 219(d) you have the following options:

(A) Complete the enclosed annual fee form and submit the required fee together with the late payment penalty of **\$100.00** (pursuant to Rule 219(h)(2)) within 30 days after the date of this notice to retain your status as an active attorney.

(B) Complete the enclosed annual fee form, including completion of the notice that you desire voluntarily to assume inactive or retired status and discontinue the practice of law in Pennsylvania (Question No. 14 or 15). In that case you will no longer be eligible to practice law in Pennsylvania, unless and until you later pay any arrearages pursuant to Rule 219(h)(2) (see excerpt enclosed) and seek reinstatement in the manner provided by the Rules. Reinstatement is automatic on application unless you are subject to an outstanding order of suspension or disbarment or unless the order has been in effect for more than three years, in which case you will be required to demonstrate that you have the moral qualifications, competency and learning in law required for admission to practice in this Commonwealth. If you check Question No. 14 or 15 and return the enclosed form, you will not be required to notify your clients by registered or certified mail that you have been transferred to inactive status.

Page Two

In the event you fail to respond to this notice, the late payment penalty will be increased to **\$200.00**. In addition, Pennsylvania Rules of Disciplinary Enforcement 217 and 219(f) & (g) will become effective. Rule 219(f) provides:

(1) That unless you shall comply with the requirements of Rule 219(d) [summarized in paragraphs (A) and (B) above] within 30 days after the date of this notice, such failure to comply will be deemed a request for transfer to inactive status, and at the end of such period your name will be certified to the Supreme Court, which will immediately enter an order transferring you to inactive status.

(2) That upon the entry of the order transferring you to inactive status, you shall comply with Enforcement Rule 217 (relating to formerly admitted attorneys), a copy of which is enclosed with this notice.

Please note that Rule 217 requires you to notify your clients by registered or certified mail, return receipt requested, of your transfer to inactive status and your consequent inability to act as an attorney after the effective date of such transfer.

Sincerely,



Zygmunt A. Pines  
Court Administrator of Pennsylvania

Enclosures

Rule 219(d)(2) has been amended to read as follows:

(2) Payment of the annual fee shall accompany the statement. Where a check in payment of the annual fee has been returned to the Board unpaid, the annual fee shall not be deemed to have been paid until a collection fee shall also have been paid. The amount of the collection fee shall be established by the Board annually after giving due regard to the direct and indirect costs incurred by the Board during the preceding year for checks returned to the Board unpaid.

The 2006-2007 Assessment Year collection fee has been established by the Disciplinary Board. That fee amount is **\$50.00** per returned item.

\*\*\*\*\*

Rule 219(h)(2) has been amended to read as follows:

(2) For the purposes of this rule arrearages shall include a late payment penalty payable by every attorney to whom a notice has been transmitted under subdivision (f) of this rule plus the actual cost of any publication effected pursuant to Enforcement Rule 217(f). The amount of the late payment penalty shall be established by the Board annually after giving due regard to such factors as it considers relevant, including the direct and indirect costs incurred by the Board during the preceding year in processing the records of attorneys who fail to timely file the statement required by subdivision (d) of this rule.

NOTE: Subdivision (f) of Rule 219 provides that The Administrative Office shall transmit by certified mail, return receipt requested, to every attorney who fails to timely file the statement and pay the annual fee required by this rule, addressed to the last known address of the attorney,...


The 2006-2007 Assessment Year late payment penalty has been established by the Disciplinary Board. That penalty amount is **\$100.00**. After 30 days, the names of every attorney who has failed to respond to the notice shall be certified to the Supreme Court, at which time the late payment penalty will be increased to **\$200.00**.

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: : No. 25 ID  
: :  
Persons Transferred to Inactive :  
Status Pursuant to Rule 219 of :  
the Pennsylvania Rules of :  
Disciplinary Enforcement :

ORDER

AND NOW, this 15<sup>th</sup> day of November, 2006, it is hereby Ordered that the attorneys named on the attached list are to be transferred to inactive status pursuant to Rule 219, Pa.R.D.E.; and it is further Ordered that the said transfer to inactive status shall take effect 30 days after the date of this Order pursuant to Rule 217(d), Pa.R.D.E.

  
\_\_\_\_\_  
John A. Vaskov  
Deputy Prothonotary

A true copy Patricia Nicola  
As of November 15, 2006  
Attest: Patricia Nicola  
Clerk of Court  
Supreme Court of Pennsylvania







THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

First Floor  
Two Lemoyne Drive  
Lemoyne, PA 17043-1226  
(717) 731-7073

November 15, 2006

49480 DELINQUENT NOTICE  
David Steven Bloom  
PO Box 10808  
Pittsburgh PA 152360808

Dear Attorney:

The Prothonotary of the Supreme Court of Pennsylvania has forwarded to us a certified copy of the Order of that Court dated November 15, 2006 (copy enclosed together with applicable page containing your name) that you will be **TRANSFERRED TO INACTIVE STATUS** for failure to comply with Rule 219 of the Pennsylvania Rules of Disciplinary Enforcement, such action to be effective **December 15, 2006**.

For your guidance, compliance and information, I am enclosing the following:

1. Standard Guidance of the Disciplinary Board to Lawyers who have been Transferred to Inactive Status.
2. Rules 217 and 219 of the Pa.R.D.E.
3. Subchapter E., Formerly Admitted Attorneys, of the Disciplinary Board Rules.
4. Form DB-23i, Nonlitigation Notice of Disbarment, Suspension or Transfer to Inactive Status.
5. Form DB-24i, Litigation Notice of Disbarment, Suspension or Transfer to Inactive Status.
6. Form DB-25i, Statement of Compliance.

You are now required to comply with the Pennsylvania Rules of Disciplinary Enforcement and Disciplinary Board Rules as enclosed herewith.

Very truly yours,

Elaine M. Bixler  
Secretary of the Board

EMB/sep  
Enclosures

cc: John A. Vaskov, Esq., Deputy Prothonotary, Supreme Court of Pennsylvania  
Zygmunt A. Pines, Esq., Court Administrator of Pennsylvania  
Kathryn J. Peifer, Esq., Executive Director, PA Lawyers Fund for Client Security  
Hon. Joseph M. James, P.J., Court of Common Pleas, Allegheny County  
Michael E. Lamb, Prothonotary, Court of Common Pleas, Allegheny County  
Angelea Allen Mitas, Disciplinary Counsel-in-Charge, D-IV

## CERTIFICATION

I certify that the attorneys on the attached list have their principal office for the practice of law in the county referenced therein and have been transferred to inactive status pursuant to the Supreme Court's Order dated November 15, 2006, effective December 15, 2006.



Elaine M. Bixler  
Secretary of the Board  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

# Delinquent Attorney Listing

12/15/2006

15:00:45

05

Allegheny

ID	Name
37540	Avery-Bell, Trudy Delores
49480	Bloom, David Steven
62364	Brodman, Christopher A.
89216	Burgess, John Arthur
62392	Flaherty, Mary R. Catherine
51210	Gricks, Timothy J.
40085	Harvin, James Edward
201757	Hill, Brian C.
33277	Katz, Jesse Louis
75175	Kinard, Keith D.
62959	Luciana, Jeffrey John
90768	Nelson, Keith Barclay
88310	Ore, Timothy Matthew
78805	Pratt, Thomas Irving
81212	Seliga, Thomas William
40985	Zemel, Maureen Creehan
91693	Zober, Yarone Stock

Total For This County 17

CERTIFIED MAIL



UNITED STATES POSTAGE  
02 1A \$ 05.12<sup>0</sup>  
0004317372 NOV 15 2006  
MAILED FROM ZIP CODE 17043



7160 3901 7646 0966 1460  
RETURN RECEIPT REQUESTED

FOLD AND TEAR HERE

Thank you for using Return Receipt Service

A. Received by (Please Print Clearly) \_\_\_\_\_

B. Date of Delivery \_\_\_\_\_

C. Signature \_\_\_\_\_

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes  No

E. Agent Addressed  Yes  No

Domestic Return Receipt

*NL  
1-22*

RECEIVED  
JAN - 9 2007  
DISCIPLINARY BOARD OF  
THE SUPREME COURT OF PA

THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA  
FIRST FLOOR  
TWO LEMOYNE DRIVE  
LEMOYNE, PA 17043

- A  
 C  
 S
- INSUFFICIENT ADDRESS
  - ATTEMPTED NOT KNOWN
  - NO SUCH NUMBER/ STREET
  - NOT DELIVERABLE AS ADDRESSED
  - UNABLE TO FORWARD
- OTHER

UNCLAIMED  
RTS  
RETURN TO SENDER

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee)  Yes  No

7160 3901 7646 0966 1460

49480  
David Steven Bloom  
PO Box 10808  
Pittsburgh PA 152360808  
DELINQUENT NOTICE

PS Form 3811, January 2005

0:  
49480 DELINQUENT NOTICE  
David Steven Bloom  
PO Box 10808  
Pittsburgh PA 152360808

7160 3901 9846 0966 1460

US Postal Service

# Certified Mail Receipt

*Domestic Mail Only  
No Insurance  
Coverage Provided*

Postage

\$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage & Fees

\$

Postmark  
Here

Sent To

49430  
David Steven Bloom  
PO Box 10808  
Pittsburgh PA 15236-0808

DELINQUENT NOTICE

PS Form 3800, January 2005

US Postal Service

Certified Mail Receipt



THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

November 15, 2006

First Floor  
Two Lemoyne Drive  
Lemoyne, PA 17043-1226  
(717) 731-7073

49480 DELINQUENT NOTICE  
David Steven Bloom  
PO Box 10808  
Pittsburgh PA 152360808

Dear Attorney:

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Very truly yours,

Elaine M. Bixler  
Secretary of the Board

EMB/sep  
Enclosures

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Zygmunt A. Pines, Esq., Court Administrator of Pennsylvania  
Kathryn J. Peifer, Esq., Executive Director, PA Lawyers Fund for Client Security  
Hon. Joseph M. James, P.J., Court of Common Pleas, Allegheny County  
Michael E. Lamb, Prothonotary, Court of Common Pleas, Allegheny County  
Angelea Allen Mitas, Disciplinary Counsel-in-Charge, D-IV

Paul J. Killion  
Chief Disciplinary Counsel

Paul J. Burgoyne  
Deputy Chief Disciplinary Counsel

DISTRICT IV OFFICE  
Suite 1300  
Frick Building  
437 Grant Street  
Pittsburgh, PA 15219-6002  
(412) 565-3173  
FAX (412) 565-7620  
www.padisciplinaryboard.org

THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA



OFFICE OF DISCIPLINARY COUNSEL

March 7, 2007

Disciplinary Counsel-in-Charge  
Angelea Allen Mitas

Disciplinary Counsel  
Mark G. Weitzman  
Samuel F. Napoli  
Cory John Cirelli  
David M. Lame  
Susan N. Dobbins  
William R. Friedman

David S. Bloom  
P. O. Box 10808  
Pittsburgh, PA 15236-0808

Dear Mr. Bloom:

A review of the records of the Court Administrator of Pennsylvania at this time indicates that you are still on "inactive" status. At the time of the last contact with you by this Office, you indicated that you were not practicing law, and understood that you were not permitted to do so, unless you took the appropriate steps to be returned to "active" status.

The purpose of this letter is merely to remind you of the circumstances, and also call to your attention that those who remain on inactive status for three years or more cannot be restored to active status without filing a petition for the same in accordance with rules governing reinstatement.

If you desire to inquire as to the procedures necessary to return to "active" status, it is suggested that you contact Suzanne E. Price, Attorney Registration, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, telephone number (717) 731-7073.

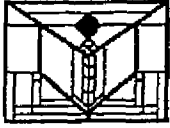
If you have any questions, please feel free to contact me. Thank you for your attention to this matter.

Very truly yours,

Angelea Allen Mitas  
Disciplinary Counsel-in-Charge

AAM/mb





Howard J. Schulberg/GRB  
04/20/2007 11:19 AM

To <dsbloom@comcast.net>  
cc  
bcc  
Subject Re: Esurance v. Chubb

Dave:

Sorry to hear about the slow recovery.

Unfortunately, the response is not acceptable at this late date. I have a motion prepared for presentation today. I have given you plenty of notice. To email me a bunch of documents at this hour with no formal response and no indication of what the documents are responsive to is not in compliance with the Rules. Having failed to communicate with me before now leaves me with no alternative but to go forward with my motion for sanctions. I appreciate your condition but a phone call or letter might have avoided all of this.

I have to also bring up a sensitive subject. I read a while back that you had been transferred to inactive status. I don't know if that has been lifted but there are certain requirements with regard to that classification that have not been followed either. Notice to clients and lawyers are the number one.

If you want to contest the Motion for Sanctions I will put it down for argument at 2:00 on Judge Wettick's contested argument list. If I don't hear back from you I will assume you are not going to appear and contest.

Howie

Howard J. Schulberg  
Goehring Rutter & Boehm  
437 Grant Street  
1424 Frick Building  
Pittsburgh, PA 15219  
hschulberg@grblaw.com  
412.281.0587  
Fax 412.281.2971

\*\*\*\*\*  
\*\*\*\*\*  
This transmission is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (412) 281-0587. Thank you.  
\*\*\*\*\*  
\*\*\*\*\*

"David Bloom" <dsbloom@comcast.net> wrote on 04/20/2007 10:38:10 AM:

> Howie,  
>  
> Sorry for the delay on the Request for Production of Documents. I  
> have been recovering from my car accident and still getting back  
> into the groove.  
>  
> Attached are the documents that I have so far. I am still awaiting





> some more and will need at least another week or so.  
>  
> Let me know.  
>  
> By the way, have you heard anything from Mike Kennedy on this case?  
>  
> Thanks,  
>  
> Dave Bloom  
> The information in this electronic mail message is the sender's  
> confidential business information and may be legally privileged. It  
> is intended solely for the addressee(s). Access to this internet  
> electronic mail message by anyone else is unauthorized. If you are  
> not the intended recipient, any disclosure, copying, distribution or  
> any action taken or omitted to be taken in reliance on it is  
> prohibited and may be unlawful. The sender believes that this E-  
> mail and any attachments were free of any virus, worm, Trojan horse,  
> and/or malicious code when sent. This message and its attachments  
> could have been infected during transmission. By reading the message  
> and opening any attachments, the recipient accepts full  
> responsibility for taking protective and remedial action about  
> viruses and other defects. The sender's employer is not liable for  
> any loss or damage arising in any way from this message or its attachments.  
>  
>  
>  
> [attachment "Response to Chubb Production of Documents.pdf" deleted  
> by Howard J. Schulberg/GRB]



2007 - 2008 PA ATTORNEYS ANNUAL FEE FORM

Filing this form, together with payment of both annual fees is a prerequisite to the practice of law in Pennsylvania.

Due on or before July 1, 2007

13984 49480 07-08 REARAGES 375.00
UAL FEE -- DISCIPLINARY BOARD \$140.00
07/01/2007 SP 69 UAL FEE -- FUND FOR CLIENT SECURITY 35.00
David Steven Bloom AL PAYMENT DUE 550.00
PAYABLE TO: "LAWYER ASSESSMENT"

SECTION A: LAWYER DATA - SEE REVERSE SIDE OF FORM

- 1. NAME AND PREFERRED MAILING ADDRESS: [X] Check Box For Public Access Use
2. PRIMARY LOCATION: OFFICE/RESIDENCE ADDRESS: [ ] Check Box For Public Access Use
3. RESIDENCE ADDRESS; IF NOT LISTED:
4. TELEPHONE: (412) 714-4900 x
5. COUNTY OF PRIMARY LOCATION: Allegheny
6. S.S.N.:
7. BIRTH DATE: 05/06/1960
8. PA ADMISSION DATE: 11/09/1987
9. GENDER (OPTIONAL): M/F M
10. NAME OF LAW FIRM, INCLUDING PARTNERSHIP AND PROFESSIONAL CORP., THROUGH WHICH I PRACTICE.
11. NAME OF CORP. LEGAL DEPT., GOV'T LEGAL DEPT., LEGAL SERVICE ORGANIZATION, DISTRICT ATTORNEY AND PUBLIC DEFENDER OFFICE AND SIMILAR GROUP LEGAL PRACTICE ARRANGEMENT THROUGH WHICH I PRACTICE
12. EXCLUDING PA, LIST ALL JURISDICTIONS WHERE YOU HAVE EVER BEEN LICENSED TO PRACTICE AS A LAWYER:

Table with columns: COURT/JURISDICTION, STATUS, ACTIVE, INACTIVE, SUSPENDED/DISBARRED/RESIGNED. Rows include U.S.D.C. WESTERN DISTRICT OF PA and U.S. SUPREME COURT.

SECTION B: PA FINANCIAL DATA - SEE ENCLOSED LIST OF APPROVED FINANCIAL INSTITUTIONS

- 13. LIST EACH FINANCIAL INSTITUTION MAINTAINED IN PA IN WHICH ON MAY 1, 2007 OR AT ANY TIME AFTER MAY 1, 2006, YOU OR ANY FIRM IDENTIFIED IN #10 HELD FUNDS OF A CLIENT OR THIRD PERSON SUBJECT TO RULE 1.15 OF THE PA RULES OF PROFESSIONAL CONDUCT. [ ] NONE/NOT APPLICABLE

Table with columns: BANK CODE, BANK NAME, ACCOUNT NUMBER, IOLTA ACCOUNT, IOLTA EXEMPT, TRUST ACCOUNT NONQUALIFIED FUNDS. Row: 561 Citizens Bank of PA-West, 6201901284, X.

SECTION C: STATUS INACTIVE SINCE: 12/15/2006 LESS THAN 3 YRS

- 14. [X] I DESIRE ACTIVE STATUS AND AM ENCLOSING THE TOTAL PAYMENT DUE, PAYABLE TO LAWYER ASSESSMENT.
15. [ ] I DESIRE TO VOLUNTARILY ASSUME OR CONTINUE INACTIVE STATUS AND CEASE THE PRACTICE OF LAW IN PA. NO FEE.
16. [ ] I DESIRE TO VOLUNTARILY ASSUME OR CONTINUE RETIRED STATUS AND CEASE THE PRACTICE OF LAW IN PA. NO FEE.

SECTION D: CERTIFICATION, AGREEMENT AND SIGNATURE

I AM FAMILIAR AND IN COMPLIANCE WITH RULE 1.15 OF THE PA RULES OF PROFESSIONAL CONDUCT REGARDING THE HANDLING OF FUNDS AND OTHER PROPERTY OF CLIENTS AND THIRD PERSONS AND THE MAINTENANCE OF IOLTA ACCOUNTS AND WITH P.A.R.D.E. 221 REGARDING THE MANDATORY REPORTING OF OVERDRAFTS ON TRUST ACCOUNTS.
I CERTIFY THAT ALL TRUST ACCOUNTS THAT I MAINTAIN ARE IN FINANCIAL INSTITUTIONS APPROVED BY THE SUPREME COURT OF PENNSYLVANIA FOR THE MAINTENANCE OF SUCH ACCOUNTS PURSUANT TO P.A.R.D.E. 221 (RELATING TO MANDATORY OVERDRAFT NOTIFICATION) AND THAT EACH TRUST ACCOUNT HAS BEEN IDENTIFIED AS SUCH TO THE FINANCIAL INSTITUTION IN WHICH IT IS MAINTAINED.
I FURTHER CERTIFY THAT THERE ARE NO OUTSTANDING ORDERS OF SUSPENSION OR DISBARMENT AGAINST ME AS OF THE DATE OF THIS APPLICATION AND THAT THE INFORMATION PROVIDED IS TRUE. IF ANY STATEMENT MADE ON THIS FORM ARE FALSE, I REALIZE I AM SUBJECT TO DISCIPLINE BY THE SUPREME COURT.

I HEREBY AGREE THAT ANY ACTION BROUGHT AGAINST ME BY THE PENNSYLVANIA LAWYERS FUND FOR CLIENT SECURITY FOR THE RECOVERY OF MONIES PAID BY THE FUND AS A RESULT OF CLAIMS AGAINST ME MAY BE BROUGHT IN THE COURT OF COMMON PLEAS OF ALLEGHENY, DAUPHIN OR PHILADELPHIA COUNTY.

Handwritten signature of David S. Bloom

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL,	:	No. 1364, Disciplinary Docket
	:	No. 3 – Supreme Court
Petitioner	:	
	:	No. 44 DB 2008 - Disciplinary
v.	:	Board
	:	
DAVID STEVEN BLOOM,	:	Attorney Registration No. 49480
	:	
Respondent	:	(Allegheny County)

AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

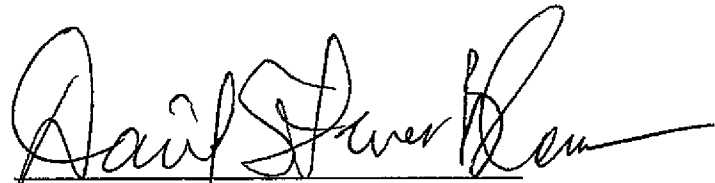
Respondent, David Steven Bloom, hereby states that he consents to the sanction of a suspension of six (6) months as jointly recommended by Petitioner, Office of Disciplinary Counsel, Respondent and Counsel for Respondent in the Joint Petition In Support Of Discipline On Consent and further states that:

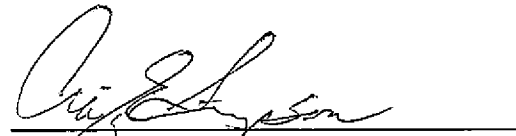
1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and, he has consulted with counsel in connection with the decision to consent to the imposition of discipline;

2. He is aware that there is a pending proceeding involving allegations that he is guilty of misconduct as set forth in the Joint Petition;


3. He acknowledges that the material facts set forth in the Joint Petition are true; and,

4. He consents because he knows that if the charges pending against him continue to be prosecuted in the pending proceeding, he could not successfully defend against them.

  
David Steven Bloom, Esquire  
Respondent

  
Craig E. Simpson, Esquire  
Counsel for Respondent

Sworn to and subscribed  
before me this 17th  
day of MARCH, 2010.

  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Vicki A. Urbaneck, Notary Public  
Forest Hills Boro, Allegheny County  
My Commission Expires July 14, 2010  
Member, Pennsylvania Association of Notaries