

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	
Petitioner	:	
	:	No. 5 DB 2026
v.	:	
	:	Attorney Registration No. 60255
THOMAS P. SUNDMAKER	:	
Respondent	:	(Monroe County)

ORDER

AND NOW, this 20th day of January 2026, in accordance with Rule 215(g), Pa.R.D.E., the three-member Panel of the Disciplinary Board having reviewed and approved the Joint Petition in Support of Discipline on Consent filed in the above captioned matter; it is

ORDERED that THOMAS P. SUNDMAKER, be subjected to a **PUBLIC REPRIMAND** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a) and Rule 205(c)(9) of the Pennsylvania Rules of Disciplinary Enforcement.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD

Attest:



Marcee D. Sloan
Board Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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OFFICE OF DISCIPLINARY COUNSEL,	:	No. 5 DB 2026
Petitioner	:	
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v.	:	
	:	Attorney Reg. No. 60255
THOMAS P. SUNDMAKER,	:	
Respondent	:	(Monroe County)

PUBLIC REPRIMAND

Thomas P. Sundmaker, you appear before the Disciplinary Board for the imposition of a Public Reprimand ordered by the Board on January 20, 2026. You consented to this discipline by way of a Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d), filed with the Board on January 8, 2026.

It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of the Commonwealth. Yet as repugnant as this task may be, it has been found necessary that you receive this public discipline.

Attorney Sundmaker, the record demonstrates that you violated the ethical rules relating to your failure to supervise your non-lawyer employee, failure to monitor your IOLTA, and failure to promptly refund unearned fees.

In the Nelson matter, in July 2023, you were retained to represent Jarrod Nelson. Mr. Nelson's mother paid you a retainer fee of \$3,500. On August 12, 2023, Ms. Nelson sent you a letter via fax terminating your services and requesting a refund, as her son had died. Ms. Nelson continued to request a refund of the \$3,500; you failed to respond despite Ms. Nelson's repeated communications, prompting Ms. Nelson to file a disciplinary complaint. Office of Disciplinary Counsel ("ODC") sent you a DB-7 letter in

November 2023; you failed to respond.

In the IOLTA Overdraft matter, in December 2023, Citizens Bank notified the Pennsylvania Lawyers Fund for Client Security that a negative balance occurred in your IOLTA. By letter sent to you in early January 2024, the Fund requested an explanation and documents relating to the overdraft and negative balance. You failed to respond to the Fund's inquiry; the Fund referred the matter to ODC for further investigation.

After these events, you discovered acts of fraud on the part of an employee. In February 2024, you wrote to Ms. Nelson, apologized, and provided a full refund of her \$3,500 fee. You explained you had recently become aware that she had not received a refund as you previously had directed your staff to provide. You contacted ODC and explained that your assistant had confessed that she had committed multiple acts of fraud and theft of funds from your accounts and concealed from you ODC's DB-7 letter and the letters from the Fund. You informed ODC that you were taking steps to report the assistant's criminal conduct and were conducting a full audit of your financials and records. You acknowledged that the assistant's fraudulent conduct was not immediately discovered due to your failure to supervise, monitor your IOLTA, or perform monthly reconciliations of the IOLTA account.

You expressed sincere remorse for your misconduct and cooperated with ODC.

By your conduct, you violated the following Rules of Professional Conduct ("RPC"):

1. RPC 1.15(c)(4) – A regular trial balance of the individual client trust ledgers shall be maintained. The total of the trial balance must agree with the control figure computed by taking the beginning balance, adding the total of moneys received in trust for the client and deducting the total

of all moneys disbursed. On a monthly basis, a lawyer shall conduct a reconciliation for each fiduciary account. The reconciliation is not complete if the reconciled total cash balance does not agree with the total of the client balance listing.

2. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests, such as ... refunding any advance payment of fee or expense that has not been earned or incurred.
3. RPC 5.3(a) and (b) – With respect to a nonlawyer employed or retained by or associated with a lawyer: (a) a partner and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer; and (b) a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer.

Attorney Sundmaker, your conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board's website at www.padisdisciplinaryboard.org.

It is the Board's duty to reprimand you for your misconduct. Please be aware that any subsequent violations on your part can only result in further discipline and more severe sanctions. We sincerely hope that you will conduct yourself in such a manner that

future disciplinary action will be unnecessary.

This concludes the reprimand.


Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania on July 9, 2026.