

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

OFFICE OF DISCIPLINARY COUNSEL	:	No. 66 DB 2011
Petitioner	:	
	:	
v.	:	Attorney Registration No. 33185
	:	
GREGORY GERARD STAGLIANO	:	
Respondent	:	(Delaware County)

PUBLIC REPRIMAND

Gregory Gerard Stagliano, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a public reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of being a member of the bar of this Commonwealth. Yet as unpleasant as this task may be, it has been deemed necessary that you receive this discipline.

Mr. Stagliano, in May of 2004, you and your wife sued Robert Bruce Designs, Inc. (RBD) in the Delaware County Court of Common Pleas. RBD answered and filed a counter-claim seeking damages against you and your wife. The Honorable Charles B. Burr was the assigned trial court judge. Judge Burr granted a defense motion to bifurcate the trial. At the conclusion of the liability phase, the jury found that both parties had breached the contract. Because RBD's breach occurred first, you took the position that your own breach of performance was excused. The trial court rejected that contention. The damages trial was held two years later before a new jury. The jury found for RBD on the counterclaim and awarded damages.

You represented yourself and your wife in the litigation and were personally involved in the matter. The nature of the litigation was very contentious, and there is no doubt that you very strongly disagreed with some of Judge Burr's rulings. In the trial court's September 15, 2008 opinion, among other things, Judge Burr commented in a footnote that you were "often, and by varying degrees, temperamental, angry, rude, volatile, egregious, threatening and occasionally even vulgar." However, the Court did not sanction or fine you, nor did it make a complaint to Office of Disciplinary Counsel.

You were not successful in appealing your case and in March 2010, you filed a Motion to Schedule Plaintiff's case for Trial in the Court of Common Pleas of Delaware County, based on your belief that not all of the counts had been heard. The case was reassigned to the Honorable George A. Pagano after Judge Burr recused himself. You sought to have most of the Delaware County bench, including Judge Pagano, recused from hearing the balance of your case.

At a hearing before Judge Pagano you became agitated and made the following statements:

The Superior Court's Opinion began with the words that we take our statement of facts from the Opinion of the Trial Court. Judge Burr's facts are all fallacious. They're all fallacious. He made up facts. He made up lies. He adopted them out of Mr. Tupitza's [defense counsel] brief, because Mr. Tupitza lies with impunity, lies with impunity. ... Judge Burr adopted every word that come out of his mouth like it was solid gold after Judge Barry Dozor, who is Mr. Tupitza's only friend in the world, came into the Courtroom, went into the retiring room with Judge Burr, had 15 minutes of private conversation with him before the trial started. Then all of a sudden from that point forward the only thing I'm doing for the next six years is defending a frivolous counterclaim.

Later, in response to a question from Judge Pagano, you burst out:

Judge, you're talking about –no; no, this is not going to happen. You're not going to rule on this. You will recuse yourself right now. I'm not having this discussion. I'm not having this discussion. I will go out in the hallway and start screaming that – you know, I am not going to have this discussion now. You're not going to do this to me.All I want is a day in Court, I want a fricking day in Court; Judge. All I want is a God damn day in court.

Mr. Stagliano, you have acknowledged that there is no evidence that Judge Burr lied or made up facts and to say so was inappropriate and reckless. You have further acknowledged that there is no evidence to prove that Judge Dozor and Judge Burr conspired against you or otherwise engaged in inappropriate conduct. You agree that your statements were made recklessly and you violated Rule of Professional Conduct 8.2(a), which prohibits a lawyer from making a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the integrity of a judge.

You have expressed sincere remorse and regret for the comments you made about Judges Burr and Dozor, and you apologized to Judge Pagano for your intemperate outburst. You have admitted that on the morning of the hearing before Judge Pagano, you were in a highly agitated state of mind. It appears that the long and contentious nature of your lawsuit resulted in the loss of control of your emotions, your objectivity, and your professionalism. The Board recognizes that you have practiced law since 1980 and have no history of professional misconduct. You have served on various Delaware County Bar Association committees during your legal career.

As you stand before the Board today, we remind you that you have a continuing legal obligation to adhere to the Rules of Professional Conduct and the Rules of Disciplinary Enforcement. Any future instances of misconduct will be dealt with swiftly and severely. This public reprimand is proof that Pennsylvania lawyers will not

be permitted to engage in conduct that falls below professional standards. It is strongly urged that you avoid engaging in misconduct in the future.

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

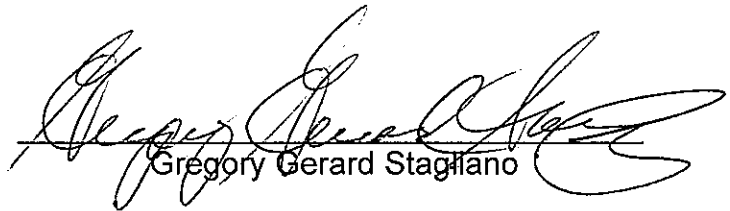


Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on November 16, 2012.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at the Board Offices located at 16th Floor, Seven Penn Center, 1635 Market Street, Philadelphia, Pennsylvania, on November 16, 2012.



Gregory Gerard Stagliano