

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

OFFICE OF DISCIPLINARY COUNSEL, Petitioner	:	No. 86 DB 2022
	:	
v.	:	File No. C4-21-880
	:	
ANTHONY HUGH RODRIQUES	:	Attorney Registration No. 208546
Respondent	:	(Erie County)

ORDER

AND NOW, this 5th day of July, 2022, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

ORDERED that the said ANTHONY HUGH RODRIQUES of Erie County, be subjected to a **PUBLIC REPRIMAND WITH CONDITIONS** by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(b) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement.

Within thirty (30) days from the date of this Order, Respondent shall submit to the Board Prothonotary and Office of Disciplinary Counsel (ODC) proof that he has made payment in the amount of \$6,206.35 to Lynne L. Thompson and return all her documents.

Failure to comply with the above Conditions shall be grounds for reconsideration of this matter and prosecution of formal charges against Respondent under the specific provision of Enforcement Rule 204(b). Costs shall be paid by the Respondent.

BY THE BOARD

Board Chair

TRUE COPY FROM RECORD

Attest:

Marcee D. Sloan

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

**BEFORE THE DISCIPLINARY BOARD OF THE
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OFFICE OF DISCIPLINARY COUNSEL,	:	No. 86 DB 2022
Petitioner	:	
	:	File No. C4-21-880
	:	
v.	:	
	:	Attorney Registration No. 208546
ANTHONY HUGH RODRIQUES,	:	
Respondent	:	(Erie County)

PUBLIC REPRIMAND

Anthony Hugh Rodriques, you appear before the Disciplinary Board for the imposition of a Public Reprimand ordered by the Board on July 5, 2022. As a condition to this reprimand, the Board ordered you to submit proof that you made payment in the amount of \$6,206.35 to Lynne L. Thompson and returned her documents. 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 determined necessary that you receive this public discipline.

Mr. Rodriques, in October 2021, Lynne L. Thompson contacted you regarding her need for representation in a criminal matter in the Court of Common Pleas of Allegheny County, as well as a possible need for representation in a pending civil rights claim. You verbally agreed to represent Ms. Thompson on the criminal case for a flat fee of \$6,000. You did not provide a written fee agreement. You required an initial payment in the amount of \$1,000, which Ms. Thompson paid. After making the initial payment, your client requested that you provide her with a fee agreement. You informed your client that you would send her a fee agreement after she paid you the entire \$6,000. Shortly thereafter, Ms. Thompson paid you an additional \$5,000. After

satisfying your requirement for payment of the \$6,000 in full, your client made multiple requests for a written fee agreement, but you failed to send her one. You expressed frustration with your client's requests for the fee agreement and informed her that you were going to charge her for every telephone call to you.

On November 2, 2021, your client called you and terminated representation because she had not received a written fee agreement after paying you \$6,000. Ms. Thompson requested that you refund the \$6,000 immediately. On November 3, 2021, Ms. Thompson sent you written confirmation of her termination of your services, renewed her request for a refund, and requested the return of documents she provided to you during the initial consultation.

By text message on November 4, 2021, you requested Ms. Thompson's mailing address so you could return her documents. You also advised Ms. Thompson that you would return any unearned fees by November 12, 2021. By reply text, Ms. Thompson provided you with her mailing address and expressed a lack of comprehension as to your use of the phrase "unearned fee." You did not provide clarification. On November 11, 2021, Ms. Thompson informed you that she had not received her documents and requested that you send them to her, and reminded you to return her money the following day.

On or about November 12, 2021, by text message, you provided Ms. Thompson with an itemization of services, which included seven billable hours of phone calls, seven hours to visit Pittsburgh, two hours to review criminal records, one half-hour with a loan officer, and two hours to review federal filings, for a total of 18.5 hours at \$300 per hour for a total of \$5,500. You deducted \$5,500 from Ms. Thompson's payment of \$6,000 and returned \$450. Although you stated that you would return Ms. Thompson's

documents, you did not promptly do so.

As to your fee, you did not inform Ms. Thompson of an hourly rate fee structure until after your services were terminated. As to actions taken on behalf of Ms. Thompson, you did not formally enter your appearance in Ms. Thompson's matter or take any action of record. Your representation lasted approximately two weeks, and you did not represent her on any aspect of her criminal case.

On December 8, 2021, Ms. Thompson filed a civil complaint against you to recoup the money she paid to you. On April 19, 2022, after you failed to appear to defend the complaint, judgment was entered for Ms. Thompson in the amount of \$6,206.35.

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

1. RPC 1.5(a) – A lawyer shall not enter into an agreement for, charge, or collect an illegal or clearly excessive fee.
2. RPC 1.5(b) – When a lawyer has not regularly represented the client, the basis or rate of the fee shall be communicated to the client in writing, before or within a reasonable time after commencing the representation.
3. 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 giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee or expense that has not been earned or incurred.

Mr. Rodriques, 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.padisciplinaryboard.org.

It is the Board's duty to reprimand you for your misconduct. We note that you have a record of discipline consisting of an informal admonition administered in October 2021 to address your misconduct concerning lack of diligence and lack of communication in a client matter. Please be aware that any subsequent violations on your part can only result in further discipline and more severe sanctions, due to your history of discipline. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

S/Celeste L. Dee

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 20, 2023.