

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2507 Disciplinary Docket No. 3
: :
Petitioner : :
: : No. 117 DB 2018
v. : :
: :
: : Attorney Registration No. 74333
DAVID TEVIS SHULICK, : :
: :
Respondent : (Montgomery County)

ORDER

PER CURIAM

AND NOW, this 12th day of October, 2023, upon consideration of the Verified Statement of Resignation, David Tevis Shulick is disbarred on consent from the Bar of this Commonwealth, retroactive to September 11, 2018. See Pa.R.D.E. 215. Respondent shall comply with the provisions of Pa.R.D.E. 217 and pay costs to the Disciplinary Board. See Pa.R.D.E. 208(9).

A True Copy Nicole Traini
As Of 10/12/2023

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

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

IN THE MATTER OF
DAVID TEVIS SHULICK

:
:
: No. 117 DB 2018
:
: Atty. Registration No. 74333
:
: (Montgomery County)

**RESIGNATION
UNDER Pa.R.D.E. 215**

David Tevis Shulick, hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 and further states as follows:

1. He is a formerly admitted attorney, having been admitted to the Bar of the Commonwealth of Pennsylvania on or about January 4, 1995 and assigned attorney registration number 74333.
2. By Order dated September 11, 2018, the Supreme Court of Pennsylvania placed him on temporary suspension.
3. On September 26, 2018, he filed with the Disciplinary Board a verified statement of compliance pursuant to Pa.R.D.E. 217(e)(1).
4. He desires to submit his resignation as a member of said bar.
5. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress and he is fully aware of the implications of

<p>FILED 09/25/2023 The Disciplinary Board of the Supreme Court of Pennsylvania</p>

submitting this resignation.

6. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has retained, consulted with and acted upon the advice of his counsel, Robert Sink, Esq., in connection with his decision to execute this resignation.

7. He is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct relating to his March 8, 2018 criminal convictions in *United States of America v. David T. Shulick*, Docket No. 2:16-cr-00428-HB-1, in the United States Court for the Eastern District of Pennsylvania. A true and correct copy of the *JUDGMENT IN A CRIMINAL CASE* is attached as Exhibit A.

8. He acknowledges that the material facts upon which his professional misconduct is predicated, contained in Exhibit A, are true.

9. He submits this resignation because he knows that he could not successfully defend himself against charges of professional misconduct.

10. He is fully aware that the submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Pa.R.D.E. 218(b) and (c).

11. He is aware that pursuant to Pa.R.D.E. 215(c) the fact that he has

tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Board Prothonotary.

12. Upon entry of the order disbaring him on consent, he will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Pa.R.D.E. 217(a), (b), (c) and (d).

13. After entry of the order disbaring him on consent, he will file a supplemental verified statement as required by Pa.R.D.E. 217(e)(1).

14. He is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Pa.R.D.E. 218(b) shall not begin until he files the supplemental verified statement of compliance required by Pa.R.D.E. 217(e)(1). If the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

15. He requests that the order of disbarment contain a provision that makes the disbarment retroactive to the date of his temporary suspension.

16. He understands the decision whether to grant his request for retroactivity is within the Court's discretion.

It is understood that the statements made herein are subject to the

penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this 22 day of September, 2023.



David Tevis Shulick
(Respondent)

WITNESS:

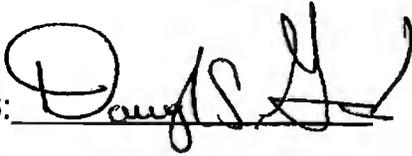


EXHIBIT A

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

UNITED STATES OF AMERICA

v.

DAVID T. SHULICK

JUDGMENT IN A CRIMINAL CASE

Case Number: DPAE2:16CR000428-1

USM Number: 75603-066

Hope C. Lefebber
Defendant's Attorney

FILED

OCT 03 2018

KATE BARKMAN, Clerk
By _____ Dep Clerk

THE DEFENDANT:

- pleaded guilty to count(s)
- pleaded nolo contendere to count(s) which was accepted by the court.
- was found guilty on count(s) 1, 2, 7, 8, 9, 10, and 11 after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18:371	Conspiracy to embezzle from a program receiving federal funds	2/28/2012	1
18:666(A)(1)(A)	Embezzlement from a program receiving federal funds	8/6/2012	2

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s)
- Count(s) 3, 4, 5, and 6 is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Copies to:
 Defendant
 Hope Lefebber, Def Atty
 Michael Donoran, AUSA
 Leslie Maxwell (2), P.O.
 PTS
 Fiscal (via ECF)
 FLCU
 US Marshal (2)

9/27/2018
 Date of Imposition of Judgment

 Signature of Judge

Harvey Bartle III, USDJ
 Name and Title of Judge

October 3, 2018
 Date

65

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

60 months consisting of:

60 months on each of counts 1, 2, 7, and 8. The sentences on counts 1, 2, 7, and 8 shall run concurrently with each other
20 months on each of counts 9, 10, and 11. The sentences on counts 9, 10, and 11 shall run consecutively to each other.
The sentences on counts 9, 10, and 11 shall run concurrently with the sentences on counts 1, 2, 7, and 8

The court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in a program of mental health testing and treatment while in custody.
That the defendant be designated to FDC Fort Dix

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

before 2 p.m. on 10/24/2018

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By

DEPUTY UNITED STATES MARSHAL

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAA2:16CR000428-1

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of :

3 years on each of counts 1, 2, 7, and 8. 1 year on each of counts 9, 10, and 11 All terms of supervised release shall run concurrently.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse *(check if applicable)*
4. You must make restitution in accordance with 18 U S C §§ 3663 and 3663A or any other statute authorizing a sentence of restitution *(check if applicable)*
5. You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: DAVID T. SHULICK
 CASE NUMBER: DPAE2:16CR000428-1

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>JVTA Assessment*</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 700.00	\$	\$ 20,000.00	\$ 764,735.00

The determination of restitution is deferred until _____ . An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss**</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
PNC Bank c/o Corrado Salvatore, Chief Counsel	\$5,000.00	\$5,000.00	
The PNC Financial Services Group, Inc. The Tower at PNC Plaza 300 Fifth Avenue Pittsburgh, PA 15222			
School District of Philadelphia c/o Rob Biron, Deputy General Counsel	\$759,735.00	\$759,735.00	
School District of Philadelphia 440 North Broad Street, Suite 313 Philadelphia, PA 19130			

TOTALS \$ _____ 764,735.00 \$ _____ 764,735.00

Restitution amount ordered pursuant to plea agreement \$ _____

The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest and it is ordered that:

the interest requirement is waived for the fine restitution.

the interest requirement for the fine restitution is modified as follows:

* Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: DAVID T. SHULICK
CASE NUMBER: DPAE2:16CR000428-1

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 700.00 due immediately, balance due
 - not later than _____, or
 - in accordance with C, D, E, or F below, or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g. weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g. months or years), to commence _____ (e.g. 30 or 60 days) after the date of this judgment, or
- D Payment in equal _____ (e.g. weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g. months or years), to commence _____ (e.g. 30 or 60 days) after release from imprisonment to a term of supervision, or
- E Payment during the term of supervised release will commence within _____ (e.g. 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time, or
- F Special instructions regarding the payment of criminal monetary penalties:
 Defendant shall pay \$20,000 in restitution within 30 days of the date of this judgment. The defendant shall satisfy the remaining amount due in monthly installments of not less than \$1,000 per month to commence 30 days after release from imprisonment

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

Chaka Fattah, Jr., DPAE2.14CR000409-1
School District of Philadelphia - Joint and Several Amount: \$759,735
PNC Bank - Joint and Several Amount: \$5,000

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States
\$649,735

Payments shall be applied in the following order. (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) JVT A assessment, (8) penalties, and (9) costs, including cost of prosecution and court costs

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel



Signature: _____
Dated: September 25, 2023

Name: Elizabeth A. Livingston, Esq.

Attorney No. (if applicable): 208126