

IN THE SUPREME COURT OF PENNSYLVANIA

IN THE MATTER OF : No. 2585 Disciplinary Docket No. 3
:
ANGELES ROCA : No. 185 DB 2018
:
: Attorney Registration No. 77526
:
PETITION FOR REINSTATEMENT : (Philadelphia)

ORDER

PER CURIAM

AND NOW, this 13th day of May, 2021, the Petition for Reinstatement is granted. Petitioner is directed to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. See Pa.R.D.E. 218(f).

Justice Dougherty did not participate in the consideration or decision of this matter.

A True Copy Patricia Nicola
As Of 05/13/2021


Attest:
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above captioned Petition for Reinstatement.

I. HISTORY OF PROCEEDINGS

On April 9, 2019, the Supreme Court of Pennsylvania entered an order granting a Joint Petition in Support of Discipline on Consent and imposing a one year and one day suspension on Angeles Roca. By Petition filed on October 28, 2019, Petitioner

seeks reinstatement to the bar of the Supreme Court of Pennsylvania. Office of Disciplinary Counsel (“ODC”) filed a Response to Petition on December 27, 2019.

Following a prehearing conference on July 13, 2020, a District I Hearing Committee conducted a reinstatement hearing on August 20, 2020. Petitioner, represented by counsel, presented the testimony of seven witnesses and testified on her own behalf. Petitioner offered exhibits P-1 through P-8, which were admitted into evidence. ODC did not present any witnesses or offer any exhibits.

On September 15, 2020, Petitioner filed a brief to the Committee in support of her request for reinstatement. On October 2, 2020, ODC filed a letter advising that it was not filing a brief and did not oppose reinstatement.

By Report filed on December 15, 2020, the Committee concluded that Petitioner met her reinstatement burden and recommended that the Petition for Reinstatement be granted.

The parties did not take exception to the Committee’s Report and recommendation.

The Board adjudicated this matter at the meeting on January 21, 2021.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner is Angeles Roca, born in 1955 and admitted to the practice of law in the Commonwealth in 1996. Petitioner is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

2. Following her admission Petitioner practiced family law in Philadelphia. N.T. 78.

3. Petitioner served as a judge on the Philadelphia Court of Common Pleas from October 25, 2008 until January 13, 2016, at which time she was suspended based upon a complaint filed against her by the Judicial Conduct Board.

4. Following a trial in the Court of Judicial Discipline, by Order dated December 16, 2016, that Court removed Petitioner from office and deemed her ineligible to hold judicial office in the future.

5. On appeal, the Supreme Court of Pennsylvania affirmed the decision of the Court of Judicial Discipline in ***In re: Angeles Roca First Judicial District Philadelphia County***, 173 A.3d 1176 (Pa. 2017).

6. ODC filed a Petition for Discipline against Petitioner on October 10, 2018, to which Petitioner filed a timely response.

7. ODC and Petitioner entered into a Joint Petition in Support of Discipline on Consent, which was filed with the Court on March 6, 2019.

8. By Order dated April 9, 2019, the Court granted the Joint Petition and ordered that Petitioner be suspended from the practice of law for one year and one day.

9. Petitioner admitted the following misconduct in the Joint Petition in Support of Discipline on Consent (“Jt. Pet.”):

a. Petitioner’s son, Ian Rexach, was the owner of a barbershop in the City of Philadelphia. Jt. Pet. 12.

b. On or about March 27, 2012, the Philadelphia City Solicitor’s Office filed a complaint in Philadelphia Municipal Court against Mr. Rexach for failure to file his 2008 business privilege tax return. Jt. Pet. 13.

c. Mr. Rexach failed to appear for a hearing on the complaint filed by the City and a default judgment was entered against him on May 15, 2012. Jt. Pet. 14.

d. Mr. Rexach filed a pro se petition to open judgment, which was denied on June 12, 2012 by Judge Dawn Segal of the Philadelphia Municipal Court. Jt. Pet. 15.

e. On June 26, 2012, Petitioner initiated a telephone call to then Philadelphia Municipal Court Judge Joseph C. Waters, Jr. As a result of an ongoing FBI investigation against Judge Waters, his telephone conversations were being intercepted. Jt. Pet. 16, 17.

f. The following conversation took place between Petitioner and Waters during the June 26, 2012 telephone call:

Roca: I have a question...Can you file a motion for reconsideration with [Segal]?

Waters: Yeah. You file a Motion for Reconsideration with her and I'll talk to her.

Roca: Huh?

Waters: I said file a Motion for Reconsideration with her and I'll talk to her.

Roca: Ok.

Waters: Why didn't you call me first?

Roca: Because I didn't know it was late, so I just sent him over and I said, "Just go open it." I didn't know it was beyond the 30 days period. Otherwise, I would have called.

Waters: Yeah.

Jt. Pet. 18.

g. On June 28, 2012, Mr. Rexach filed a Petition for Reconsideration in Philadelphia Municipal Court. Jt. Pet. 19.

h. Subsequent thereto, Petitioner became aware that Municipal Court Judge Segal would not be presiding over those types of petitions and motions after June 29, 2012. Jt. Pet. 20.

i. Petitioner initiated a telephone call to Waters on June 29, 2012 and the following exchange took place:

Waters. Hey Honey, what's up Babe?

Roca: Do you have Dawn's number?

Waters: Who?

Roca: Dawn Segal.

Waters: uh...

Roca: He [Rexach] just filed for reconsideration. They said she [Segal] does 'em right today. So we need to call her today.

Waters: Oh. Okay. I'll call Dawn right now. All right.

Roca: It's Ian Rexach. She said call Monday and by Monday she [Segal] would have already decided the decision.

Waters: All right. What's his name?

Roca: It's Ian Rexach. R-E-X-A-C-H,

Waters: R-E-X-A-C-H. I'll call her right now...

Roca: And it was a Motion for Reconsideration. All right?

Waters: All right. Bye-bye.

Roca: Thank you, Baby.

Jt. Pet. 21.

j. In the June 26, 2012 telephone conversation, Waters told Petitioner he would call Judge Segal regarding the petition filed by Petitioner's son. Jt. Pet. 22.

k. When Petitioner learned that Judge Segal would not be hearing such motions after June 29, 2012, Petitioner intervened to prevent her son's motion from being heard by a jurist who was not aware of the request for assistance. Jt. Pet. 23.

l. After the Motion for Reconsideration was granted by Judge Segal, Waters placed two calls to Petitioner, both on July 1, 2012. Jt. Pet. 24.

m. In the initial call on July 1, 2012, Waters left a voice mail message for Petitioner stating "Angie, it's Joe. Dawn Segal just called me. She just said she took care of that thing. All right. Bye-Bye." Jt. Pet. 25.

n. In the second call on July 1, 2012, the following conversation took place between Waters and Petitioner:

Roca: Hello.

Waters: Angie, it's Joe. How you doin'?

Roca: Good. What's up?

Waters: Not much. That thing's taken care of.

Roca: Thank you, Honey. Thanks so much.

Waters: [Segal] called me this morning and she said she did it over the weekend. So it's taken care of.

Roca: All right. Cool. Thanks, Baby.

Jt. Pet. 26.

o. On June 3, 2013, as part of an ongoing investigation of Waters, an FBI Special Agent interviewed Petitioner. Jt. Pet. 27.

p. In response to the question of whether judges call one another to ask for favors, Petitioner stated "we don't do that here at all." Jt. Pet. 28.

q. During the interview, Petitioner told the FBI Agent that she would not call another judge to request a favor for a family member. Jt. Pet. 29.

r. On April 13, 2015, Petitioner filed an answer in response to an informal letter of inquiry that was issued by the Judicial Conduct Board prior to the commencement of formal charges. Jt. Pet. 30.

s. In her answer, Petitioner denied any inappropriate communication between herself and Waters concerning her son's case. Jt. Pet. 31.

t. Petitioner stated in her written response to the Judicial Conduct Board that she contacted Waters for procedural assistance only regarding her son's case and after Waters explained that he [Petitioner's son] should file a petition for reconsideration, she stated

she had no further discussions with her son or anyone else concerning his case. Petitioner denied any knowledge that Waters contacted, or intended to contact, Judge Segal concerning the petition for reconsideration and stated that apparently Waters contacted Judge Segal without her knowledge and not at her request. Jt. Pet. 32.

u. After being confronted with the taped telephone conversations between herself and Waters, Petitioner filed an amended response to the Judicial Conduct Board on June 18, 2015, wherein she admitted that Waters suggested that he would speak to Judge Segal concerning her son's case and she admitted that she contacted Waters on June 29, 2012 to ask him to request that Judge Segal consider the matter promptly as she had learned that Judge Segal would not be hearing those types of cases after June 29, 2012. Jt. Pet. 33.

v. Petitioner admitted that she engaged in inappropriate communication with Judge Waters concerning her son's case. Jt. Pet 34.

w. Petitioner admitted that she contacted Waters on June 29, 2012 to request that he contact Judge Segal to ensure that Judge Segal entertained Petitioner's son's petition before Judge Segal stopped hearing those types of petitions. Jr. Pet. 35.

x. Petitioner admitted that she failed to report the communications she had with Waters to the Judicial Conduct Board or any other authority. Jt. Pet. 36.

y. Petitioner admitted that she made false statements of material fact in her written response to the inquiry from the Judicial Conduct Board. Jt. Pet. Jt. Pet. 37.

10. Petitioner admitted that her conduct violated Rules of Professional Conduct 3.5(a), 8.1(a), 8.3(b), 8.4(c), 8.4(d) and 8.4(f). Jt. Pet. 38.

11. Petitioner was never charged by the FBI or the U.S. Attorney's Office. N.T. 102.

12. Petitioner resumed the full-time practice of law upon changing her license status to active with the Attorney Registration Office on January 5, 2017. N.T. 115-116; Jt. Pet. 10.

13. Once Petitioner received notice of her suspension, she immediately closed her law practice and complied with the requirements of Pa.R.D.E. 217 pertaining to suspended attorneys. N.T. 106, 117.

14. Petitioner satisfied all obligations owed to the Disciplinary Board for the investigation and prosecution of the disciplinary matter. N.T. 106-107; P-6(e) and (f).

15. Petitioner notified the United States District Court for the Eastern District of Pennsylvania about her discipline in Pennsylvania. N.T. 107; P-6(g).

16. Petitioner notified the State of New Jersey of her suspension in Pennsylvania. Since her initial contacts with New Jersey in 2020, Petitioner has not been contacted by that jurisdiction as to reciprocal discipline. N.T. 110-114; P-1, P-2, P-3, P-4.

17. Following her suspension, from April 2019 through October 2019 Petitioner worked for Sandra Morris, Esquire as a paralegal. N.T. 118.

18. Petitioner properly notified the Disciplinary Board of her employment, pursuant to Pa.R.D.E. 217. N.T. 118; P-6(l).

19. During her employment as a paralegal, Petitioner did not hold herself out as an attorney nor did she give legal advice. N.T. 119.

20. Prior to filing her Petition for Reinstatement, Petitioner timely completed the required Continuing Legal Education courses pursuant to Disciplinary Board Rules §§ 89.275(a) and 89.279)(a). N.T. 120.

21. Petitioner read *The Legal Intelligencer* in order to maintain her knowledge in the law. In particular, she reviewed domestic relations cases and articles about family court. N.T. 121.

22. Petitioner engaged in community service both prior to and during her suspension. She volunteered at a food pantry for a homeless shelter and she used her bilingual skills to volunteer at Public Citizens for Children and Youth, helping to make dental and eye appointments for children. N.T. 122-125.

23. Petitioner stopped working for Attorney Morris in October 2019 when she was diagnosed with breast cancer. She also ceased her community service

during the time she received treatment, Petitioner currently is in remission from her cancer and feels well. N.T. 124-125, 152.

24. Petitioner has no tax liens or judgments against her and is current with all of her federal, state, and local taxes. N.T. 127 -128.

25. Petitioner has never been sued for professional malpractice. N.T. 128.

26. If reinstated, Petitioner plans to return to a family law practice and is committed to providing pro bono services to her clientele. N.T. 129 - 130.

27. Petitioner testified that her one year and one day suspension was more than fair considering her misconduct. N.T. 155.

28. Petitioner expressed genuine remorse and contrition for her wrongful actions that resulted in her removal from the bench and suspension from the bar. N.T. 94, 96, 104, 131.

29. Petitioner understands how damaging her two calls to Waters were to the judicial office. N.T. 96-97.

30. Petitioner described her misconduct as some of the worst moments of her life, in retrospect. She admitted that she interfered with her son's case and her actions hurt the reputation of the judiciary and the bar. N.T. 97, 104-105, 132-133, 134.

31. Petitioner agreed that what she did was more than just a mistake. N.T. 133.

32. Petitioner apologized to most of her colleagues on the domestic relations bench. N.T. 97.

33. Petitioner understands that she can't take back what she did, but can move forward and try to do good and not harm. N.T. 133.

34. Petitioner desires reinstatement so she can reestablish herself in the legal community and in the public's eye. *Id.*

35. Petitioner credibly testified at the reinstatement hearing.

36. Seven witnesses credibly testified on Petitioner's behalf.

37. Walter McHugh has practiced law in Pennsylvania since 1988 and has known Petitioner for many years in her capacities as a practicing lawyer and as a judge. N.T. 19-21. He testified that as an attorney, Petitioner was always upfront, candid and truthful with him in their dealings. N.T. 27. Mr. McHugh confirmed Petitioner's excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person. N.T. 25.

38. Mr. McHugh testified that Petitioner has accepted responsibility for her misconduct and communicated her regret for her actions. Mr. McHugh believes that Petitioner will never repeat her wrongful actions again. N.T. 27, 28.

39. Mr. McHugh has no hesitation in recommending Petitioner's reinstatement to the practice of law. *Id.*

40. Quetcy Lozada is the Vice-President of Community Outreach for Esperanza, a social service group in the Hunting Park community, which provides immigration, housing and career services. N.T. 31, 32. She knows Petitioner

through their mutual work for Councilwoman Maria Quinones Sanchez, and also testified that Petitioner helped finalize Ms. Lozada's divorce. N.T. 32.

41. Ms. Lozada testified concerning Petitioner's involvement with the Hispanic community and her participation in community related matters. Over the years, Petitioner participated in many of the community meetings and cleanups. N.T. 32-33.

42. Ms. Lozada testified that Petitioner has accepted full responsibility for her misconduct and expressed remorse. N.T. 34-35.

43. Ms. Lozada testified that Petitioner has an outstanding reputation in the community for being a peaceful, law-abiding, truthful and honest person. N.T. 34.

44. Ms. Lozada has no hesitation in recommending Petitioner's reinstatement to the practice of law. N.T. 35.

45. Enrique Rosario, Esquire has been a member of the Pennsylvania bar since 1987 and has known Petitioner since approximately 2017, when Petitioner began renting office space from Mr. Rosario in January 2018. N.T. 37, 38.

46. Mr. Rosario confirmed that upon Petitioner's suspension, she removed her signage and business cards from the office. N.T. 40.

47. Mr. Rosario testified that Petitioner was a leader in Philadelphia's Hispanic community and was involved in many charitable activities through the years. N.T. 41.

48. Mr. Rosario testified to Petitioner's current excellent reputation in the community as a truthful, honest, peaceful and law-abiding person, and supports her reinstatement to the practice of law. N.T. 42-44.

49. Philadelphia Councilwoman Maria Quinones Sanchez has known Petitioner for more than two decades and testified to Petitioner's active involvement in the Hispanic community. N.T. 45-46.

50. Councilwoman Sanchez is aware of Petitioner's misconduct and testified that Petitioner has accepted full responsibility for her actions. N.T. 49-50.

51. Councilwoman Sanchez confirmed Petitioner's excellent reputation in the community for being a peaceful, honest, law-abiding and truthful individual. N.T. 48-49.

52. Councilwoman Sanchez has no hesitation in recommending Petitioner's reinstatement and believes the community will benefit from her expertise, life experiences and commitment to service. N.T. 49.

53. John Morris, Esquire has practiced law in Pennsylvania since 1970, served as Chairman of the Judicial Conduct Board and Chief Judge of the Court of Judicial Discipline, and served as a member of the Disciplinary Board. Mr. Morris is Petitioner's former attorney. N.T. 54-55.

54. Mr. Morris described Petitioner's complete remorse and feelings of embarrassment that she had let down the Philadelphia Court of Common Pleas. N.T. 56.

55. Mr. Morris testified that Petitioner has an excellent reputation in the community as a truthful and honest person and as a peaceful and law-abiding person. N.T. 57. He does not hesitate to recommend Petitioner's reinstatement to the bar. N.T. 57-58.

56. Sandra Morris, Esquire (no relation to John Morris) has practiced law in Pennsylvania since 1999 and has known Petitioner since she was a judge. Ms. Morris appeared before Petitioner on occasion. N.T. 61-62.

57. Ms. Morris employed Petitioner as a paralegal from April 2019 to October 2019. Ms. Morris confirmed that Petitioner complied with the requirements of Pa.R.D.E. 217(j) governing formerly admitted attorneys. N.T. 64.

58. Ms. Morris testified that Petitioner accepted full responsibility for her wrongdoing and never made excuses. N.T. 65.

59. Ms. Morris testified that Petitioner has a good reputation in the community as a truthful, honest, peaceful and law-abiding person and she has no hesitancy about Petitioner's return to the practice of law. N.T. 65-66.

60. Jermaine Harris, Esquire has practiced law in Pennsylvania for approximately 22 years and has known Petitioner since the early 2000s, when she was practicing law before becoming a judge. Mr. Harris described Petitioner as a good and thorough lawyer. N.T. 68-69.

61. Mr. Harris confirmed that Petitioner has a good reputation as a truthful, honest, peaceful and law-abiding person. N.T. 71-71.

62. ODC does not oppose Petitioner's reinstatement.

III. CONCLUSIONS OF LAW

1. Petitioner demonstrated by clear and convincing evidence that she has the moral qualifications, competency and learning in the law required for admission to practice law in this Commonwealth. Rule 218(c)(3), Pa.R.D.E.

2. Petitioner demonstrated by clear and convincing evidence that her resumption of the practice of law will be neither detrimental to the integrity and standing of the bar or the administration of justice, nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E

IV. DISCUSSION

Petitioner seeks readmission to the practice of law in Pennsylvania following her suspension for a period of one year and one day, imposed by the Supreme Court of Pennsylvania on April 9, 2019. Pursuant to Rule 218(a)(1), Pa.R.D.E., an attorney who is suspended for a period exceeding one year may not resume the practice of law until reinstated by the Court.

Petitioner bears the burden of proving by evidence that is clear and convincing, that she is morally qualified, competent and learned in the law and that her resumption of the practice of law will not be detrimental to the integrity and standing of the bar or the administration of justice, nor subversive of the public interest. Pa.R.D.E. 218(c)(3). This burden is not light, and reinstatement is not automatic. A reinstatement

proceeding is a searching inquiry into a lawyer's present professional and moral fitness to resume the practice of law. The object of concern is not solely the transgressions that gave rise to the lawyer's suspension, but rather, the nature and extent of the rehabilitative efforts made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process. ***Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court of Pennsylvania***, 363 A.2d 779, 780-781 (Pa. 1976).

The Committee concluded Petitioner established her fitness to practice law and recommended that her reinstatement petition be granted. Having investigated this matter and heard Petitioner's evidence, ODC does not object to Petitioner's resumption of practice. Likewise, the Board concludes that Petitioner has rehabilitated herself and is ready to resume the practice of law without detriment to the public, the courts or the profession.

The misconduct for which Petitioner was suspended from the practice of law occurred while she was a judge on the Philadelphia Court of Common Pleas. While sitting on the bench, Petitioner improperly interfered with a case by contacting a Philadelphia Municipal Court Judge to assist her son in opening a default judgment on his tax lien. Petitioner compounded her judicial misconduct by later denying her actions to the FBI and making false statements to the Judicial Conduct Board. Viewing this disturbing breach of ethics, there is no doubt that Petitioner's misconduct was serious and consequential to the judiciary and the legal profession.

The record of Petitioner's reinstatement efforts satisfies the Board that she has made amends for her serious misconduct. Petitioner accepted full responsibility for

her transgressions and demonstrated change and reform. Petitioner's act of consenting to discipline was demonstrative of her acknowledgment of wrongdoing and signified a positive step toward rehabilitation. Petitioner offered sincere remorse for her misconduct, testifying not only to her personal shame and the impact her transgressions had on her life, but also to her understanding that the reputations of the judiciary and the bar were negatively impacted, which prompted her apologies to her former judicial colleagues. Petitioner's emphasis on the personal impact of her misconduct does not diminish her sense of remorse for the broader impact of her bad acts. We are satisfied that Petitioner comprehends the magnitude of her acts, has not minimized her misconduct, and sincerely regrets her actions. Petitioner convincingly assured the Committee and now this Board that the conduct that caused her suspension is not characteristic of the person she is, and her prior wrongdoing will not be repeated in the future. Petitioner explained that she thinks of herself as a good person and sincerely desires the opportunity to reestablish herself in the public's eye.

During her suspension, Petitioner worked as a paralegal for Attorney Sandra Morris for a period of six months before her health issues became of paramount concern in her life. Petitioner demonstrated that during her suspension, she continued volunteering for her community, using her bilingual skills to schedule medical appointments for children. The evidence showed that Petitioner has been a positive presence in her community for many years and she indicated a strong desire to continue pro bono services once she regains the privilege of practicing law. Petitioner has never

been sued for legal malpractice, has no outstanding judgments or tax liens and is current with her taxes.

In addition to her paralegal work, Petitioner maintained her learning in the law by completing the requisite hours of Continuing Legal Education and reviewing *The Legal Intelligencer* for updates in domestic relations law, her primary area of knowledge and interest. If reinstated, Petitioner intends to resume a family law practice in her Philadelphia community and is committed to providing pro bono representation, as she had done previously.

An array of witnesses from the Pennsylvania bar and Petitioner's community offered credible, consistent and compelling testimony to demonstrate that Petitioner is remorseful and ashamed of her misconduct, has truly learned from her experiences, has made positive changes in her life, and is an honest, truthful, community-oriented individual who is valued by her community and held in high esteem, despite her past wrongdoing. These witnesses established that Petitioner's reinstatement will not present a danger to the public or harm the integrity and standing of the courts or the bar.

Upon this record, we conclude that Petitioner spent her suspension period engaged in genuine rehabilitation and is fit to practice law. See *In the Matter of James Francis Donohue*, No. 112 DB 2013 (D. Bd. Rpt. 6/10/2020) (S. Ct. Order 7/6/2020); *In the Matter of Robert Turnbull Hall*, No. 49 DB 2011 (D. Bd. Rpt. 6/8/2020) (S. Ct. Order 7/6/2020); *In the Matter of Lonnie Eugene Walker*, No. 43 DB 2013 (D. Bd. Rpt. 5/5/2020) (S. Ct. Order 5/26/2020). Petitioner established by clear and convincing evidence that she is morally qualified, competent and learned in the law, and that her

reinstatement will be neither detrimental to the integrity and standing of the bar nor subversive of the public interest. The Board recommends that the Petition for Reinstatement be granted.

V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that Petitioner, Angeles Roca, be reinstated to the practice of law.

The Board further recommends that, pursuant to Rule 218(f), Pa.R.D.E., Petitioner be directed to pay the necessary expenses incurred in the investigation and processing of the Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: */s/ Robert L. Repard*
Hon Robert L. Repard, Member

Date: 04/05/2021