

NOTICES

Statewide Grievance Committee Rules of Procedure

On February 19, 2015, the Statewide Grievance Committee adopted the following amendments to the Statewide Grievance Committee Rules of Procedure in accordance with Practice Book Section 2-33(c)(2), to be effective March 17, 2015. Additions are underlined; deletions are struck through.

Attorney Michael P. Bowler
Statewide Bar Counsel

RULE 1A. FILING PROCEDURE; ELECTRONIC FILING

A. Filing Procedure: Grievance complaints, and any document related to grievance complaints or unauthorized practice of law complaints pending before the Committee or a reviewing committee, including but not limited to requests, motions, objections, briefs, appeals, or any other document intended for placement in the file of any such matter, or any copies thereof, must be filed with or submitted to the Statewide Bar Counsel or an Assistant Bar Counsel. No grievance complaint, unauthorized practice of law complaint, or any document attached in support thereof, or any portion of the record as defined by Practice Book § 2-32(i) may be filed with or submitted to the Statewide Bar Counsel or Assistant Bar Counsel by way of fax, email, or any other electronic means. Any such document so received will not be considered as being filed with the Committee or the Statewide Bar Counsel.

B. Electronic Filing: The following documents may be filed with the Statewide Bar Counsel's Office by fax or email provided that an original of the filing and all necessary Bar Counsel's Office:

1. All materials prepared pursuant to Rule 7(B), (C), (D), ~~(E)~~ and ~~(F)~~;
2. A response to an overdraft investigation by the Statewide Bar Counsel's Office conducted pursuant to Practice Book § 2-28(g) and Rule 9(B);
3. A proposed disposition prepared pursuant to Practice Book § 2-82 and Rule 11;
4. A motion to dismiss prepared pursuant to Rule 11A;
5. A request for review of a reviewing committee final decision prepared pursuant to Practice Book § 2-35(g);
6. A request for review of an attorney advertising advisory opinion prepared pursuant to Rule 14(l).

C. If the last day for filing any matter falls on a day on which the Statewide Bar Counsel's Office is not open, then the last day for filing shall be the next business day upon which the office is open. All documents that are electronically received for filing after 5:00 p.m. on a day on which the Statewide Bar Counsel's Office is open or that are electronically received at any time on a day on which the office is closed, shall be deemed filed on the next business day upon which the office is open.

D. All materials filed with the Statewide Bar Counsel following a finding of probable cause shall contain a certification of proof of service as required in civil matters pursuant to Practice Book § 10-14.

E. Notwithstanding the provisions of this rule, the Committee or a reviewing committee may allow for the electronic filing of any document.

F. Materials that do not comply with this rule shall be returned and not made a part of the record.

RULE 7. HEARINGS OPEN TO THE PUBLIC

A. Notice: In all matters in which a hearing open to the public is held, the Complainant, Disciplinary Counsel and the Respondent shall be sent written notice of the hearing by the Statewide Bar Counsel by first class mail. The notice shall include a statement of the time and place of the hearing and that the hearing shall be open to the public and on the record.

B. Continuances: Continuances may be granted only to Disciplinary Counsel or the Respondent in the discretion of the reviewing committee and only for good cause shown. Motions for continuances must be submitted on form JD-GC-17 and filed with the Statewide Bar Counsel's Office with a copy to all counsel and pro se parties of record no later than seven calendar days prior to the date of the hearing, absent exigent circumstances. A party requesting a continuance must indicate whether the opposing party consents to the request. Upon timely receipt of the motion for continuance, the Statewide Bar Counsel's Office shall forward it to a member of the reviewing committee who shall promptly rule on the motion. Notice of the decision on the motion shall thereafter be transmitted by the Statewide Bar Counsel's Office to Disciplinary Counsel, the Complainant and to the Respondent or counsel for the Respondent.

C. Motions: Motions filed with the Committee or a reviewing committee concerning the jurisdiction of the Committee or reviewing committee or any other matter to be considered by the hearing body must be filed with the Statewide Bar Counsel's Office no later than seven days in advance of the date upon which the complaint at issue is to be heard. An original and three copies of the motion must be filed with the Statewide Bar Counsel's Office. Such motions may only be filed by Disciplinary Counsel, the Respondent or the Respondent's counsel. The requirement that motions must be filed no later than seven days in advance of the hearing date may be waived in the discretion of the hearing body with respect to motions in which the jurisdiction of the hearing body is at issue.

D. Motion to Appear by Videoconference: The Disciplinary Counsel, the Respondent, or the Respondent's counsel may file a motion with the Statewide Bar Counsel's office requesting that a witness, including the Complainant or the Respondent, appear by videoconference. The movant shall file an original and three copies of the motion no later than fourteen days prior to the date of the hearing. The motion shall contain a certification that a copy of the motion was sent to the opposing party and shall indicate the opposing party's position on the motion. The opposing party may file an objection, with three copies, to the motion within five days from the date the motion is filed with the Statewide Bar Counsel's office. Upon timely receipt of the motion, the Statewide Bar Counsel's Office shall forward the motion to a member of the reviewing committee assigned to the hearing, who shall promptly rule on the motion. Notice of the decision on the motion shall be transmitted by the Statewide Bar Counsel's office to the Disciplinary Counsel, the Complainant, and to the Respondent or the Respondent's counsel. Only motions to appear by videoconference will be considered. No witness shall be allowed to appear by telephone conference call.

E. Briefs: Briefs prepared for submission to a reviewing committee must be submitted to the Statewide Bar Counsel's Office no later than seven days in advance of the date upon which the complaint at issue is to be heard. An original and three copies of the brief must be filed with the Statewide Bar Counsel's Office. Such briefs may only be filed by Disciplinary Counsel, the Respondent or the Respondent's counsel. The requirement that briefs must be filed no later than seven days in

advance of the hearing date may be waived in the discretion of the hearing body for good cause. The requirement that briefs must be provided to the Statewide Bar Counsel's Office no later than seven days in advance of the date upon which the complaint at issue is to be heard, set forth in the first sentence of this section, does not apply to post-hearing briefs ordered at the time of the hearing or for which the permission to file is granted to Disciplinary Counsel or the Respondent at the time of the hearing.

EE. Evidentiary Submissions: Evidentiary submissions to the record after a finding of probable cause may only be made as exhibits to the record. Any proposed evidence received by the Statewide Bar Counsel's Office or the Committee after a finding of probable cause will be returned to the participants and not be made part of the record unless it is submitted in accordance with this section or at a reviewing committee hearing. Prior to the hearing, Disciplinary Counsel and the Respondent, or the Respondent's counsel shall confer regarding proposed evidentiary submissions and witnesses reasonably expected to be called during their cases-in-chief. Evidentiary submissions that may be made full exhibits by agreement shall be marked by the Disciplinary Counsel and the Respondent respectively, with Disciplinary Counsel listing exhibits numerically and the Respondent alphabetically. Any exhibit proposed by a participant, but not agreed to, shall be marked for identification purposes only. At least seven days before the hearing, the participants shall: (1) exchange all exhibits, including those marked only for identification; and (2) file with the Statewide Bar Counsel's Office four copies of each submission with a list of witnesses the participant reasonably expects to call during the hearing. The requirements of this subsection may be waived in the discretion of the hearing body for good cause.

GF. Additional Allegations of Misconduct Pursuant to Practice Book § 2-35(d): Notwithstanding the provisions of section **EE** of this rule, Disciplinary Counsel may attach supporting materials to any additional allegations of misconduct issued pursuant to Practice Book § 2-35(d). The thirty day period to be heard provided for in Practice Book § 2-35(f) shall be calculated from the date the additional allegations of misconduct are filed with the Statewide Bar Counsel's Office. The Respondent may file a response with exhibits to any additional allegations of misconduct issued by Disciplinary Counsel. Any materials attached to the response are also exempt from the provisions of section **EE**. The Respondent's original response with any exhibits plus three copies must be filed with the Statewide Bar Counsel's Office within fourteen days of the filing of the additional allegations of misconduct. Thereafter, no other materials regarding the additional allegations of misconduct or the response may be filed as of right, and must be submitted instead pursuant to section **F** of this rule.

HG. Procedure at Hearings:

1. Any oral or documentary evidence may be received, but the Committee or reviewing committee shall exclude irrelevant, immaterial or unduly repetitious evidence. At its discretion, the Committee or reviewing committee may exclude documentary evidence not submitted in accord with section **F** of this rule.

2. When a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form.

3. Documentary evidence may be received in the form of copies or excerpts if the original is not readily available. Upon reasonable and timely requests, the parties may be given an opportunity to compare the copy with the original.

4. Disciplinary Counsel, the Respondent, or the Respondent's counsel may conduct reasonable direct and cross-examinations of witnesses.

5. Hearings may only be electronically recorded by the official court reporter or official court recording monitor.

II. Witnesses: Unless the Committee or reviewing committee determines that a witness is necessary to the resolution of a complaint, it shall be the responsibility of Disciplinary Counsel or the Respondent by subpoena or otherwise to secure the presence of witnesses.

II. All determinations of a reviewing committee shall be by an absolute majority vote and two members shall constitute a quorum. In the event of a tie vote, a member of the Committee shall be designated to review the entire record of the complaint and cast the deciding vote.

Notice of Certification As Authorized House Counsel

Upon recommendation of the Bar Examining Committee in accordance with § 2-15A of the Connecticut Practice Book, notice is hereby given that the following individuals have been certified by the Superior Court as Authorized House Counsel for the organization named:

Certified as of February 17, 2015:

Anna R. Newsom

The Travelers Companies, Inc.

Certified as of February 19, 2015:

Joel Michael Adler

AQR Capital Management

Mauricio Alfredo Gonzalez

GE Capital Corporation

Sara A. Kutner

Gen Re

Brian Keith Leonardi

HomeServe USA

Thomas Mario Schiera

Tudor Investment Corporation

James P. Taylor

Gramercy Funds Management LLC

Janine Waldman

GE Capital

Vincent Tortorella

Point 72 Asset Management

Certified as of February 20, 2015:

Noellyn Kyung Mee Davies

Boehringer Ingelheim Pharmaceuticals,
Inc.

Hon. Patrick L. Carroll III

Chief Court Administrator

Notice of Reprimand of Attorneys

Pursuant to Practice Book Section 2-54, notice is hereby given of the following reprimands ordered by reviewing committees of the Statewide Grievance Committee:

Reviewing Committee Reprimands

December 12, 2014: Nicholas R. Nesi, East Haven, Connecticut – 303511

December 19, 2014: Alisha Carrie Mathers, Enfield, Connecticut – 427808

January 9, 2015: Anita Flannigan Steenson, Milford, Connecticut - 412269

Copies of the full text of the decisions of the Statewide Grievance Committee are available through the Committee's offices at Second Floor, Suite Two, 287