

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:

TARA MARIE GRIMM,
Attorney-Respondent,
No. 6291356.

Commission No. 2022PR00061

RESPONDENT TARA MARIE GRIMM ANSWER TO COMPLAINT

Now comes Respondent, Tara Marie Grimm, by and through her attorney, Elizabeth A. Granoff, who admits that she was licensed to practice law in the State Illinois on May 10, 2007, but denies the conclusory portions of the remaining allegations of the prefatory paragraph and answers as follows:

ANSWER

(Each allegation of the Complaint is restated first, then Respondent's Answer)

FACTS COMMON TO COUNTS I-IV

1. Between July 2019 and February 24, 2021, Respondent worked at Pace, the Suburban Bus Division of the Regional Transportation Authority, as a Senior Staff Attorney.

Answer: Respondent admits the allegations contained in Paragraph One.

2. Between July 2019 and February 24, 2021, Respondent was assigned primary responsibility to represent Pace in several cases, including: *Anderson v. Pace*, 19 M1 301426; *Pace v. Falcon Insurance*, 19 M3 004646; *Patton v. Pace*, 18 L 007982; and *Taylor v. Pace*, 20 M1 300277.

Answer: Respondent admits the allegations contained in Paragraph Two.

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3. During her employment at Pace, Respondent was responsible for updating and recording information contained in emails and memoranda onto a spreadsheet for each of the cases assigned to her. Pace's General Counsel, Nancy Carroll-Zimmer, oversaw Respondent's work.

Answer: Respondent admits the allegations contained in Paragraph Three. .

4. Between July 2019 and February 24, 2021, Respondent knew that Pace required her work to be complete, accurate and current when recording the information contained in the emails and memoranda onto the spreadsheet.

Answer: Respondent admits the allegations contained in Paragraph Four.

COUNT I

*(False Statements to Employer, Lack of Diligence,
Failure to Expedite Litigation – Anderson v. Pace)*

5. On September 3, 2019, Respondent filed an appearance on behalf of Pace in the matter of *Anderson v. Pace*, in the Circuit Court of Cook County, case number 19 M1 301426. The case was a personal injury matter, arising out of an automobile accident involving a Pace bus.

Answer: Respondent admits the allegations contained in Paragraph Five.

6. On January 10, 2020, Plaintiff's counsel propounded written discovery on Pace, which was directed to Respondent, along with a deposition notice to produce.

Answer: Respondent admits the allegations contained in Paragraph Six. .

7. On March 13, 2020, Plaintiff's counsel filed a "Motion to Compel and Extend the All Discovery Closed Date" because discovery in the case was set to close on March 13, 2020, and Respondent had not answered written discovery or presented a Pace employee for a deposition. The motion was scheduled for hearing on April 8, 2020.

Answer: Respondent admits the allegations contained in Paragraph Seven.

8. On April 8, 2020, pursuant to the Amended General Administrative Order of the Cook County Circuit Court Addressing COVID-19 Precautions, the Circuit Court of Cook County sent out postcards to all counsel of record on *Anderson v. Pace*, rescheduling the matter for June 17, 2020. The matter was later rescheduled again, this time to August 12, 2020.

Answer: Respondent admits the allegations contained in Paragraph Eight.

9. As a result of the COVID-19 pandemic and associated court closures, the Motion to Compel and Extend the All Discovery Closed Date filed on March 13, 2020, was not ruled on.

Answer: Respondent admits the allegations contained in Paragraph Nine.

10. On August 24, 2020, Plaintiff's counsel filed a second Motion to Compel and Extend the All Discovery Closed Date because Respondent had not answered written discovery on behalf of Pace or presented a Pace employee for deposition. The motion was scheduled to be heard on September 11, 2020 at 10:30 a.m.

Answer: Respondent admits the allegations contained in Paragraph Ten.

11. On August 25, 2020, plaintiff's counsel emailed a copy of the motion, notice of motion, and accompanying exhibits to the email address designated for Courtroom 1501's courtesy copies and to all counsel of record. On September 9, 2020, through the Courtroom 1501 staff email, all counsel of record were informed the Court would hear the motion as noticed.

Answer: Respondent admits the allegations contained in Paragraph Eleven.

12. On September 11, 2020, the Court granted plaintiff's motion to compel and ordered Pace to answer all discovery by September 25, 2020; produce Pace employees for depositions within 35 days; and ordered that all discovery depositions be completed by November 11, 2020.

Answer: Respondent admits the allegations contained in Paragraph Twelve.

13. On September 11, 2020, Plaintiff's counsel emailed a draft order to be entered to the Courtroom 1501 email and all counsel of record. The order to compel was drafted using a Circuit Court of Cook County Order form, which contained the following language: "Failure to comply with the specific terms of this order will result in the plaintiff/defendant being barred from testifying and presenting any evidence at the arbitration and/or trial of this matter. The above stated sanction shall remain in effect until removed by Order of Court upon motion by the party against whom the sanction applies." (emphasis in original).

Answer: Respondent admits the allegations contained in Paragraph Thirteen.

14. On September 17, 2020, through the Courtroom 1501 staff email, all counsel of record were informed that the Court had signed the order. Respondent received the Court's order on or shortly after September 17, 2020. Respondent took no action in response to the Court's order and did not inform her employer of the entry of the order.

Answer: Respondent admits the allegations contained in Paragraph Fourteen.

15. On February 8, 2021, the Circuit Court of Cook County issued arbitration cards to all counsel of record, setting an arbitration hearing for April 26, 2021.

Answer: Respondent admits the allegations contained in Paragraph Fifteen.

16. Between December 2020 and February 2021, Respondent recorded the following false entries in a file memorandum and spreadsheet regarding her work on *Anderson v. Pace*:

Date	Document	Respondent's Recorded Case Information to Supervisors
December 2020	Spreadsheet	Attended MTC on 9/11/20; Plaintiff answered written, deposition of Plaintiff scheduled for 1/8/21
January 2021	Spreadsheet	Attended MTC on 9/11/20; Plaintiff answered written, deposition of Plaintiff scheduled for 1/8/21 (cancelled as per Pl. Rescheduled for 2/5/21; awaiting next court date from the court.
February 2021	Spreadsheet	Attended MTC on 9/11/20; Plaintiff answered written, deposition of Plaintiff needs to be scheduled, awaiting next court date from the court.
February 22, 2021	File Memorandum	Case Summary: Discovery was answered. To do: Depose Plaintiff, wait for ADC date, wait for Arb card

Answer: Respondent admits the allegations contained in Paragraph Sixteen.

17. Respondent did not attend the hearing on the motion to compel on September 11, 2020. Respondent's entry to her employer, as set forth in paragraph 16, that she attended the hearing was false and Respondent knew it was false at the time she made it. Respondent made the statement for the purpose of misleading her employer about the status of the litigation in the *Anderson v. Pace* matter.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph Seventeen. Respondent denies the characterization of the statement in the second sentence of Paragraph Seventeen and demands strict proof thereof.

18. Respondent did not answer discovery on behalf of Pace when discovery was due by September 25, 2020. Respondent's entry to her employer, as set forth in paragraph 16, that she answered discovery on behalf of Pace was false and Respondent knew it was false at the time she made it. Respondent made the entry for the purpose of misleading her employer about the status of the litigation in the *Anderson v. Pace* matter.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph Eighteen. Respondent denies the characterization of the statement in the second sentence of Paragraph Eighteen and demands strict proof thereof.

19. Respondent did not present a Pace employee for a deposition in the *Anderson v. Pace* matter. Respondent's entry to her employer, as set forth in paragraph 16, that she presented a Pace employee for a deposition was false and Respondent knew it was false at the time she made it. Respondent made the entry for the purpose of misleading her employer about the status of the litigation in the *Anderson v. Pace* matter.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph Nineteen. Respondent denies the characterization of the statement in the second sentence of Paragraph Nineteen and demands strict proof thereof.

20. Respondent did not attempt to take the deposition of the plaintiff in the *Anderson v. Pace* matter. Respondent could not have taken the plaintiff's deposition without leave of court, as the deadline for taking all discovery depositions closed on November 11, 2020, pursuant to the Court's order. Respondent's entry to her employer, as set forth in paragraph 16, that she intended to take the plaintiff's deposition was false and Respondent knew it was false at the time she made it. Respondent made the entry for the purpose of misleading her employer about the status of the litigation in the *Anderson v. Pace* matter.

Answer: Respondent admits the allegations contained in the first two sentences of

Paragraph Twenty. Respondent denies the characterization of the statement in the last sentence of Paragraph Twenty and demands strict proof thereof.

21. Respondent was not waiting for an arbitration card on February 22, 2021 because one had been issued and sent to all counsel of record on February 8, 2021, which Respondent knew she had already received. Respondent's entry to her employer, as set forth in paragraph 16, that she was waiting for an arbitration card was false and Respondent knew it was false at the time she made it. Respondent made the entry for the purpose of misleading her employer about the status of the litigation in the *Anderson v. Pace* matter.

Answer: Respondent admits the allegations contained in the first two sentence of Paragraph Twenty-One. Respondent denies the characterization of the statement in the third sentence of Paragraph Twenty-One and demands strict proof thereof.

22. On or about February 26, 2021, *Anderson v. Pace* was reassigned to another attorney at Pace, following Respondent's departure from Pace. On that date, Pace's new counsel learned from Plaintiff's counsel of the order to compel entered on September 17, 2021.

Answer: Respondent has insufficient knowledge to admit or deny the allegation in Paragraph 22.

23. On March 5, 2021, Pace filed an Emergency Motion for Leave to Answer Outstanding Written Discovery and Vacate Bar Order, which the court granted on or about March 10, 2021.

Answer: Respondent has insufficient knowledge to admit or deny the allegation in Paragraph 23.

24. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including, failing to answer written discovery and produce a Pace employee for deposition which resulted in a bar order being entered against Pace, in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010);
- b. failing to make reasonable efforts to expedite litigation consistent with the interests of her client, by conduct including failing to answer written discovery and produce a Pace employee for deposition which resulted in a bar order being entered against Pace, in violation of Rule 3.2 of the Illinois Rules of Professional Conduct (2010);
- c. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly recording false entries regarding the work she performed and the status of *Anderson v. Pace*, as described in paragraphs 16-21 in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 24 (a)- (c). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

COUNT II

*(Dismissing Case without Authority and False Statements to Employer
Pace v. Falcon Insurance)*

25. In or about August 2019, representation of Pace in *Pace v. Falcon Insurance* was assigned to Respondent. Pace filed the case in the Circuit Court of Cook County on June 19, 2019 and the matter was docketed as case number 19 M3 004646. The matter involved a claim by Pace against Falcon Insurance and one of its insureds for damages Pace allegedly suffered as a result of an automobile accident involving a Pace bus.

Answer: Respondent admits the allegations contained in Paragraph Twenty-Five.

26. On October 30, 2019, Respondent filled out and caused to be entered a trial call order indicating the case was set for a status on service and settlement on November 22, 2019.

Answer: Respondent admits the allegations contained in Paragraph Twenty-Six.

27. On November 22, 2019, Respondent filled out and caused to be entered a trial call order dismissing the case without prejudice. When she caused the order to be entered on November 22, 2019, Respondent had not received authorization from Pace's General Counsel, Nancy Carroll-Zimmer, or anyone else at Pace, to dismiss the *Pace v. Falcon Insurance* matter without prejudice. Respondent knew that she did not have such authorization at the time she caused the order to be entered and the case to be dismissed.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph 27. Respondent denies the allegations contained in the second and third sentence of Paragraph 27 and denies strict proof thereof.

28. Between December 2020 and February 2021, Respondent recorded the following entries in a file memorandum and spreadsheet regarding her work on *Pace v. Falcon Insurance*:

Date	Document	Respondent's Recorded Case Information to Supervisors
December 3, 2020	File Memorandum	Agreement to settle for \$12,784.86 (90% of damage) awaiting payment and will enter dismissal order
December 2020	Spreadsheet	Agreement in principal to \$12,784.86 (90% of damage) awaiting payment and will enter dismissal order
January 2021	Spreadsheet	Agreement in principal to \$12,784.86 (90% of damage); Sent release releasing insurer and insured; awaiting payment and will enter dismissal order
February 2021	Spreadsheet	Agreement in principal to \$12,784.86 (90% of damage); Sent release releasing insurer and insured; awaiting payment and will enter dismissal order

Answer: Respondent admits the allegations contained in Paragraph Twenty-Eight.

29. All of Respondent's entries to her employer, as set forth in paragraph 28, were false and she knew they were false because Respondent knew she had already caused an order to be entered dismissing *Pace v. Falcon Insurance* without prejudice over a year before she made the entries. Respondent made the entries described in paragraph 28 for the purpose of deceiving her employer into believing that the *Pace v. Falcon Insurance* matter was still pending, when it was not, and that she was still performing work on the matter.

Answer: Respondent admits the allegations contained the first sentence in Paragraph Twenty-Nine. Respondent denies the allegations contained in the second sentence of Paragraph Twenty-Nine and demands strict proof thereof.

30. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. failure to consult with a client as to the means by which the objectives of representation are to be pursued by conduct including dismissing the matter of *Pace v. Falcon Insurance* without Pace's authority to do so, in violation of Rule 1.2(a) of the Illinois Rules of Professional Conduct (2010), and
- b. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly recording false entries regarding the work she claimed to have performed and the status of *Pace v. Falcon Insurance*, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 30 (a)- (b). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

COUNT III
(*False Statements to Employer – Anderson v. Pace*)

31. In or about August 2020, representation of Pace in *Patton v. Pace* was transferred

to Respondent. The case was filed against Pace in the Circuit Court of Cook County and was assigned case number 18 L 007982. The matter concerned a personal injury claim by a passenger on a Pace bus who alleged to have sustained injuries while disembarking from the bus.

Answer: Respondent admits the allegations contained in Paragraph Thirty-One.

32. On September 18, 2020, Respondent emailed plaintiff’s counsel in the matter, “Would you be willing to agree to transfer to muni for arb.”

Answer: Respondent admits the allegations contained in Paragraph Thirty-Two.

33. On September 21, 2020, plaintiff’s counsel replied to Respondent via email: “Given that the specials number is over what I would consider a municipal value case and the fact that nothing is actually moving in muni at the moment I would prefer to keep it in Law. If you want to do a pretrial on the case in law I’d be happy to do that to see if we can resolve this.”

Answer: Respondent admits the allegations contained in Paragraph Thirty-Three.

34. In December 2020, Respondent recorded the following entries in a file memorandum and spreadsheet regarding her work on *Patton v. Pace*:

Date	Document	Respondent’s Recorded Case Information to Supervisors
December 3, 2020	File Memorandum	P to draft agreed to transfer to muni for arb
December 2020	Spreadsheet	P to draft agreed to transfer to muni for arb

Answer: Respondent admits the allegations contained in Paragraph Thirty-Four.

35. Respondent’s entries as described in paragraph 34 were false and Respondent knew they were false at the time she made them because she knew that counsel for the plaintiff in *Patton v. Pace* had not agreed to draft any motion to transfer the matter to the Municipal Division of the Circuit

Court of Cook County for arbitration. Respondent made the entries for the purpose of deceiving her employer about the status of the *Patton v. Pace* matter.

Answer: Respondent denies the allegations contained in Paragraph 35 and demands strict proof thereof.

36. On or about December 4, 2020, General Counsel for Pace, Nancy Carroll-Zimmer, emailed Respondent asking when plaintiff's counsel had agreed to draft the motion to transfer *Patton v. Pace* to the Municipal Division and if there was any written record of such agreement.

Answer: Respondent admits the allegations contained in Paragraph 36.

37. On December 4, 2020, Respondent emailed Carroll-Zimmer that plaintiff's counsel "agree[d] to draft the motion months ago via telephone." Respondent's statement in her email to Carroll-Zimmer was false and Respondent knew it was false at the time she made it because she knew that counsel for the plaintiff in *Patton v. Pace* had not agreed to draft any motion to transfer the matter. Respondent made the statement in her email for the purpose of deceiving her employer about the status of the *Patton v. Pace* matter.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph 37. Respondent denies the remaining sentences contained in Paragraph 37 and demands strict proof thereof.

38. On December 10, 2020, Carroll-Zimmer emailed plaintiff's counsel in *Patton v. Pace* asking about the status of the agreed motion to transfer the case to the Municipal Division. Plaintiff's counsel emailed Carroll-Zimmer, "I never agreed to that. I explicitly refused to agree in an email to Tara."

Answer: Respondent has insufficient evidence to admit or deny the allegations contained in Paragraph 38.

39. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly recording false entries regarding the status of *Patton v. Pace*, as described in paragraphs 34-35 and knowingly making false statements to her employer in an email as described in paragraphs 37-38, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 39 (a). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

COUNT IV
(False Statements to Employer – Taylor v. Pace)

40. In 2020, representation of Pace in the matter of *Taylor v. Pace* was assigned to Respondent. At the time, the case was pending in the Circuit Court of Cook County as case number 20 M1 300277. The matter involved a personal injury claim brought by a driver who alleged an injury in an automobile accident with a Pace bus.

Answer: Respondent admits the allegations contained in Paragraph Forty.

41. Between December 2020 and February 2021, Respondent recorded the following entries in a file memorandum and spreadsheet regarding her work on *Taylor v. Pace*:

Date	Document	Respondent's Recorded Case Information to Supervisors
December 2020	Spreadsheet	Engaged in written discovery, received medical records; Pl dep scheduled for 1/19/20 Plaintiff Counsel is stuck in Brazil
January 2021	Spreadsheet	Engaged in written discovery, received medical records; Pl dep scheduled for 2/17/20 Plaintiff Counsel is stuck in Brazil
February 2021	Spreadsheet	Engaged in written discovery, received medical records, Plaintiff Counsel is stuck in Brazil, must schedule Pl's dep

Answer: Respondent admits the allegations contained in Paragraph Forty One.

42. Respondent's entries as described in paragraph 41 were false and Respondent knew they were false at the time she made them. Respondent had not engaged in any written discovery in the *Taylor v. Pace* matter. The matter was a small claims case, and as such, no discovery could be taken without leave of court, pursuant to Illinois Supreme Court Rule 287. At the time she made the entries, Respondent had not sought leave of court to conduct discovery and no discovery had been taken. Respondent made the entry for the purpose of misleading her employer about the status of the litigation in the *Taylor v. Pace* matter.

Answer: Respondent admits the allegations contained in the sentence one, two and

three in Paragraph 42. Respondent denies the characterization of the allegations in the last sentence in Paragraph 42.

43. On or about December 4, 2020, General Counsel for Pace, Nancy Carroll-Zimmer, emailed Respondent regarding *Taylor v. Pace*. Carroll-Zimmer asked Respondent if any discovery had been conducted because few documents were in the electronic file.

Answer: Respondent admits the allegations contained in Paragraph Forty-Three.

44. On December 4, 2020, Respondent emailed Carroll-Zimmer: “Yes, I have Plaintiff’s hard copy answers to disco in the hard copy file. I will bring in the file on Monday and try to get them scanned myself over the weekend.” Respondent’s statement in her email to Carroll-Zimmer was false and Respondent knew it was false at the time she made it because she knew that no discovery had been taken in *Taylor v. Pace*. Respondent made the statement in her email for the purpose of deceiving her employer about the status of the *Taylor v. Pace* matter.

Answer: Respondent admits the allegations contained in the first sentence of Paragraph. 44. Respondent denies the remaining allegations contained in Paragraph 44 and demands strict proof thereof.

45. Following Respondent’s departure from Pace, counsel assigned to *Taylor v. Pace* discovered that the matter was a small claims case, therefore no depositions would be taken or discovery issued except with leave of court, pursuant to Supreme Court Rule 287.

Answer: Respondent has insufficient evidence to admit or deny the allegations contained in Paragraph 45.

46. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly recording false entries regarding the status of *Taylor v. Pace*, as described in paragraphs 41-42 and knowingly making false statements to her employer in an email as described in paragraphs 43-44, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 46 (a). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

COUNT V
*(Conduct Involving Dishonesty, Fraud, Deceit or Misrepresentation
by Unauthorized Use of a Credit Card)*

47. From on or about June 1, 2021 until January 28, 2022, Respondent was employed as an associate attorney at the law firm of Cohen, Donahue and Salazar in Elgin.

Answer: Respondent admits the allegations contained in Paragraph Forty-Seven.

48. As part of Respondent's compensation package with Cohen, Donahue and Salazar, Respondent received a law firm credit card for the sole authorized use of purchasing gasoline for her personal vehicle.

Answer: Respondent admits the allegations contained in Paragraph Forty-Eight.

49. In December of 2021, Cohen, Donahue and Salazar discovered Respondent had used her company credit card for unauthorized personal purchases in the amount of \$1,571.69. This included charges for groceries, clothing, meals at restaurants, and charges to a hair salon. When confronted about the charges, Respondent admitted that they were unauthorized, but initially told her supervisors that she had mistakenly used her company credit card instead of her personal credit card because the two cards looked similar. Respondent agreed to reimburse Cohen, Donahue and Salazar for her unauthorized purchases.

Answer: Respondent admits the allegations contained in Paragraph Forty-Nine.

50. On or about December 10, 2021, Respondent wrote a personal check to Cohen, Donahue and Salazar in the amount of \$1,571.69 to reimburse the law firm for her unauthorized purchases on the firm's credit card.

Answer: Respondent admits the allegations contained in Paragraph Fifty.

51. On or about January 10, 2022, Cohen, Donahue and Salazar received correspondence from Chase Bank indicating that Respondent's personal check was returned as unpaid because Respondent's bank account was frozen. When confronted with the returned check, Respondent informed her supervisors that there was an issue with her bank and that some sort of fraud had taken place on her account, but she promised to reimburse the firm for the charges.

Answer: Respondent admits the allegations contained in Paragraph Fifty-One.

52. In or around late January 2022, Cohen, Donahue and Salazar received a new company credit card bill and discovered additional unauthorized purchases made by Respondent totaling at least \$428.16. This included charges for clothing, groceries, and meals at restaurants.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Two.

53. On January 28, 2022, Cohen, Donahue, and Salazar terminated Respondent's employment.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Three.

54. At no time did Respondent have permission or authority to use the law firm's credit card for any transactions other than gas expenses.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Four.

55. At the time Respondent made the unauthorized personal charges on the company credit card, she knew that she was not authorized to do so.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Five.

56. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation when she charged at least \$1,999.85 for personal expenses using her employer's credit card when she knew she was not authorized to do so, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 56 (a). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

COUNT VI

(Lack of Diligence and Dishonesty in Khalil Alotaibi Eviction Matter)

57. In 2021, Khalil Alotaibi (“Alotaibi”) owned various rental properties in the Chicago area. One such property was a house located at 321 Wisteria Drive in Streamwood, Illinois (“the Streamwood property”).

Answer: Respondent admits the allegations contained in Paragraph Fifty-Seven.

58. On or about June 30, 2021, Alotaibi retained the law firm of Cohen, Donahue, and Salazar to represent him in filing an eviction case in the Circuit Court of Cook County against a tenant living at the Streamwood property for nonpayment of rent.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Eight.

59. Respondent, who was an associate at Cohen, Donahue, and Salazar, took primary responsibility for handling the eviction matter on behalf of Alotaibi.

Answer: Respondent admits the allegations contained in Paragraph Fifty-Nine.

60. Shortly after June 30, 2021, Alotaibi provided Respondent with the necessary supporting documentation to file the eviction complaint against the tenant of the Streamwood property.

Answer: Respondent admits the allegations contained in Paragraph Sixty.

61. Between June 30, 2021 and September 2021, Alotaibi and Respondent were in regular communication concerning the eviction matter. In the beginning of September 2021,

Respondent represented to Alotaibi that she filed an eviction complaint in the Circuit Court of Cook County on his behalf against the tenant of the Streamwood property.

Answer: Respondent admits the allegations contained in Paragraph Sixty-One.

62. Respondent's statement to Alotaibi in September 2021 that she filed an eviction matter on his behalf was false because no such complaint had been filed. Respondent knew the statement was false at the time she made it. Respondent told Alotaibi the false statement in order to conceal from him the fact that she had not filed an eviction matter on his behalf.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Two.

63. On or about November 18, 2021, Respondent provided Alotaibi with an update on the purported eviction matter in which she told him that the tenant failed to appear in court on that date. Respondent's statements to Alotaibi that she appeared in court on November 18, 2021 was false. Respondent knew this statement was false at the time she made it, as no eviction matter had been filed and no court appearance occurred on November 18, 2021. Respondent made the statement in order to conceal from Alotaibi the fact that she had not filed an eviction matter on his behalf.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Three.

64. On or shortly after December 2, 2021, Respondent created a court order, purporting to give the defendant in the eviction matter until December 2, 2021 to respond to the eviction complaint and setting the matter for a status hearing on December 6, 2021. The order purported to have been entered by "Judge Thomas Meyer." Respondent then sent the order to Alotaibi.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Four.

65. Respondent knew that the order described in paragraph 64 was false, as no case had been filed on Alotaibi's behalf and no order had been entered. Respondent created the order described in paragraph 64 for the purpose of deceiving Alotaibi into believing that an eviction matter had been filed on his behalf, when no such matter had been filed.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Five.

66. Later in December 2021, Respondent represented to Alotaibi that he would be allowed to reenter the Streamwood property on or by December 16, 2021, due to the tenant's failure to respond to the purported eviction complaint. This statement was false, as no eviction complaint had been filed on Alotaibi's behalf and no court order had been entered allowing Alotaibi to reenter the Streamwood property. Respondent knew this statement was false at the time she made it. Respondent made the statement in order to conceal from Alotaibi the fact that she had not filed an eviction matter on his behalf.

Answer: Respondent admits the allegations contained in Paragraph Sixty Six.

67. On or about January 25, 2022, after determining that the tenant at the Streamwood property had not been evicted or otherwise left the property, Alotaibi contacted the Cook County Sheriff to determine the status of the eviction matter with regard to the Streamwood property. At that time, Alotaibi learned that no such eviction matter had been filed.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Seven.

68. Shortly after learning that no eviction complaint had been filed on his behalf, Alotaibi contacted Respondent's firm seeking more information on his case. In response, on or about January 28, 2022, Respondent forwarded to Alotaibi a purported complaint and the

purported court order, referenced in paragraph 64 above. Respondent knew that the complaint and order were fictitious, as no complaint had been filed and no order had been entered on Alotaibi's behalf. Respondent sent the documents to Alotaibi with the intention of deceiving Alotaibi into believing that an eviction complaint had been filed on his behalf.

Answer: Respondent admits the allegations contained in Paragraph Sixty-Eight.

69. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. failing to act with reasonable diligence and promptness in representing a client, by conduct including, failing to file an eviction matter on behalf of Khalil Alotaibi in violation of Rule 1.3 of the Illinois Rules of Professional Conduct (2010); and
- b. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation by conduct including repeatedly and knowingly making false statements about the status of Khalil Alotaibi's eviction matter, during the period from September 2021 to January 28, 2022, both by stating that she had filed the matter and by providing Alotaibi with updates on the case as described in paragraphs 61-66 above; and creating a false complaint and court order and sending those documents to Alotaibi as described in paragraphs 64 and 68 above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Answer: Respondent denies each and every allegation in Paragraph 69 (a)- (b). These statements are not allegations of fact but are conclusions of law which the Administrator must prove to the Hearing Board by clear and convincing evidence.

WHEREFORE, the Administrator requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held and that the panel make findings of fact, conclusions of fact and law and a recommendation for such discipline as is warranted.

Sincerely,


Elizabeth A. Granoff

Elizabeth A. Granoff
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