

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

In the Matter of:

TRADD ASHTON FROMME,
Attorney-Respondent,
No. 6291557.

Commission No. 2021PR00072

COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Matthew D. Lango, pursuant to Supreme Court Rule 753(b), complains of Respondent, Tradd Ashton Fromme, who was licensed to practice law in Illinois on May 10, 2007, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I

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

1. From January 2016 until February 2020, Respondent was employed as in-house counsel with Professional National Title Network (“PNTN”). PNTN provides a variety of services to businesses and attorneys, primarily acting as a title agent in real estate transactions.

2. In the course of his employment as in-house counsel with PNTN, Respondent was given access to PNTN’s corporate American Express credit card, with an account number ending in 93076 (“the American Express card”). On certain occasions, in the course of his employment, Respondent was authorized by PNTN to use its American Express card for payment of certain

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expenses such as corporate filing fees with the Illinois Secretary of State, membership fees in professional associations, and registration fees for certain conferences and meetings.

3. At no time did anyone from PNTN give Respondent a copy of PNTN's corporate American Express card. Respondent, sometime prior to February 2019, wrote down and retained the American Express Card's number, expiration date, and security code. At no time did anyone from PNTN authorize Respondent to retain this information.

4. Prior to February 2019, Respondent established merchant accounts with Square, Inc. ("Square") and Intuit, Inc. ("Intuit"). These accounts, which linked to Respondent's personal checking account at JPMorgan Chase Bank, allowed Respondent to accept payments via credit card. Funds from these payments, less a processing fee, would be deposited directly into Respondent's personal checking account.

5. On February 21, 2019, using his merchant account through Square, Respondent used PNTN's American Express card's number and charged \$5,000 to himself. These funds were deposited into Respondent's personal bank account at Chase. At no time did anyone from PNTN or American Express authorize Respondent to deposit funds into his personal bank account using PNTN's American Express Card.

6. Respondent next used the American Express card on March 18, 2019. In that transaction, again using the merchant account he established through Square, Respondent used PNTN's American Express card and charged \$2,000 to himself.

7. In total, from February 21, 2019 and continuing through January 16, 2020, Respondent used PNTN's American Express card to charge funds to himself on at least 90 separate occasions. Respondent used the merchant accounts he created through Square and Intuit to

facilitate these transactions. During that time period, Respondent charged at least \$136,745.79 to himself using PNTN’s American Express Card.

8. Respondent’s unauthorized charges to himself using PNTN’s American Express card are detailed in the table below:

<u>Date</u>	<u>Vendor Name</u>	<u>Amount</u>
02/21/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	5,000.00
03/28/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,320.00
03/25/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	445.00
03/18/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,000.00
04/25/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,470.00
04/22/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	512.00
04/10/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,460.00
05/31/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	679.00
05/23/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,968.00
05/21/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	630.00
05/10/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	263.00
05/10/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	407.00
05/09/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,575.00
07/03/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,037.31
06/28/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	525.00
06/24/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	439.16
06/20/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,024.11
06/18/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	575.00
06/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	418.00
06/11/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	475.00
06/10/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	522.00
06/06/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,169.00
06/04/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	253.00
08/02/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	341.27
08/01/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,394.19
07/31/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	564.00
07/18/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	227.36
07/18/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,222.76
07/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	408.00
07/12/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	362.00
07/11/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	374.00
07/08/2019	GOSQ.COM TRADD FROMME - Chicago, IL	359.62
07/07/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	779.00
07/04/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	569.34
07/10/2019	GOSQ.COM TRADD FROMME - Milwaukee, WI	594.00
08/30/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	196.00
08/29/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,979.11
08/26/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	537.00
08/24/2019	GOSQ.COM TRADD FROMME - Chicago, IL	417.00
08/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	597.00
08/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,822.27
08/12/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	545.00
08/08/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	362.00
08/03/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	267.00
08/31/2019	GOSQ.COM TRADD FROMME - Indianapolis, IN	1,617.00

09/26/2019	GOSQ.COM TRADD FROMME - Chicago, IL	5,988.00
09/25/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	1,600.00
09/23/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	716.00
09/20/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	1,700.00
09/19/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	614.00
09/16/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	256.00
09/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	222.00
09/15/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	452.00
09/15/2019	GOSQ.COM TRADD FROMME - Chicago, IL	198.00
09/12/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	332.17
09/12/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	3,863.47
09/09/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	2,347.00
09/07/2019	GOSQ.COM TRADD FROMME - Chicago, IL	756.00
09/06/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	1,877.00
09/04/2019	GOSQ.COM TRADD FROMME - CHICAGO, IL	782.00
10/03/2019	IN *TRADD A. FROMME - CHICAGO, IL	335.00
10/24/2019	IN *TRADD A. FROMME - CHICAGO, IL	1,952.00
10/23/2019	IN *TRADD A. FROMME - CHICAGO, IL	4,398.00
10/19/2019	IN *TRADD A. FROMME - CHICAGO, IL	497.00
10/17/2019	IN *TRADD A. FROMME - CHICAGO, IL	568.00
10/16/2019	IN *TRADD A. FROMME - CHICAGO, IL	357.00
10/15/2019	IN *TRADD A. FROMME - CHICAGO, IL	452.00
10/04/2019	IN *TRADD A. FROMME - CHICAGO, IL	3,960.00
12/03/2019	IN *TRADD A. FROMME - CHICAGO, IL	4,772.00
11/29/2019	IN *TRADD A. FROMME - CHICAGO, IL	477.00
11/27/2019	IN *TRADD A. FROMME - CHICAGO, IL	589.00
11/26/2019	IN *TRADD A. FROMME - CHICAGO, IL	632.84
11/25/2019	IN *TRADD A. FROMME - CHICAGO, IL	1,277.00
11/20/2019	IN *TRADD A. FROMME - CHICAGO, IL	4,678.00
11/19/2019	IN *TRADD A. FROMME - CHICAGO, IL	2,559.00
11/15/2019	IN *TRADD A. FROMME - CHICAGO, IL	634.50
11/12/2019	IN *TRADD A. FROMME - CHICAGO, IL	379.82
11/11/2019	IN *TRADD A. FROMME - CHICAGO, IL	716.00
11/08/2019	IN *TRADD A. FROMME - CHICAGO, IL	479.00
11/06/2019	IN *TRADD A. FROMME - CHICAGO, IL	2,649.52
11/05/2019	IN *TRADD A. FROMME - CHICAGO, IL	3,122.90
12/11/2019	TRADD A. FROMME	917.56
12/17/2019	TRADD A. FROMME	4,868.51
12/18/2019	TRADD A. FROMME	2,779.00
12/24/2019	TRADD A. FROMME	917.00
12/27/2019	TRADD A. FROMME	367.00
12/31/2019	TRADD A. FROMME	2,716.00
12/31/2019	TRADD A. FROMME	4,912.00
12/6/2019	TRADD A. FROMME	642.00
1/16/2020	TRADD A. FROMME	2,736.00
		<u>136,745.79</u>

9. At no time did Respondent have permission or authority to use PNTN's American Express card for the transactions described in paragraphs 5 through 8 above. Respondent obtained unauthorized control and possession of at least \$136,745.79, knowing that those funds did not belong to him.

10. At the time Respondent made the charges on the PNTN American Express Card to himself, as described in paragraphs 5 through 8 above, Respondent knew that he was not authorized to do so. When Respondent charged funds to himself as described in paragraphs 5 through 8 above, he knowingly obtained unauthorized control over funds that did not belong to him. Respondent acted dishonestly when he made the charges described above.

11. PNTN discovered the charges made by Respondent to himself in late January 2020. When confronted about the charges, Respondent initially told his supervisors at PNTN that he only used the American Express card for legitimate business reasons, such as registering for continuing legal education courses. This statement was false, as none of the charges that Respondent made to himself were authorized or used for legitimate business reasons. Shortly thereafter, in early February 2020, PNTN terminated Respondent's employment.

12. In February 2020, PNTN reported the transactions by Respondent described in paragraphs 5 through 8 above to American Express as fraudulent and unauthorized. American Express conducted an investigation and determined that PNTN was not responsible for the charges by Respondent on PNTN's American Express card.

13. 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 he charged at least \$136,745.79 to himself using his employer's credit card when he knew he was not authorized to do so, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(Misrepresentations to the Administrator)

14. The Administrator realleges the facts set forth in paragraphs 1 through 12 of Count I, above.

15. Following the investigation by American Express as described in Count I above, American Express charged back and recovered approximately \$41,085.65 from Intuit, Inc., one of the companies through which Respondent set up a merchant account. This resulted in a loss to Intuit of at least \$41,085.65.

16. In or about May 2020, a representative of Intuit contacted Respondent regarding his use of his Intuit merchant account to make unauthorized charges to himself using PNTN's American Express card. At that time, Intuit sought repayment from Respondent of \$42,135.65, representing the amount the amount of its loss as a result of the charge back to American Express, plus additional fees.

17. On or about June 2, 2020, Respondent entered into a payment plan agreement with Intuit regarding restitution payments for \$42,135.65, related to his unauthorized and fraudulent charges to him on PNTN's American Express card. Under the payment plan agreement, Respondent agreed to make recurring monthly payments to Intuit of \$125.00 until January 4, 2021. Following the final recurring payment, Respondent was to renegotiate an increase in monthly payments to Intuit and enter into a new payment plan agreement for the remainder of the outstanding balance.

18. Between June 2, 2020, and January 4, 2021, Respondent made recurring monthly payments of \$125.00 to Intuit.

19. On or about July 30, 2020, the Administrator received a request for investigation of Respondent from Christine Kulagowski (“Kulagowski”), a senior special agent at American Express, reporting that American Express investigated the unauthorized and fraudulent charges to PNTN’s American Express card as described in Count I above, and believed such charges were made by Respondent. The Administrator docketed the matter as Commission number 2020IN02879.

20. On or about October 1, 2020, counsel for the Administrator sent a copy of Kulagowski’s request for investigation in Commission number 2020IN02879, along with a letter to Respondent requesting that Respondent send a letter within fourteen days setting forth the material facts relating to the matters raised by Kulagowski.

21. On December 18, 2020, Respondent emailed a letter to counsel for the Administrator in response to the request for investigation. In the letter, Respondent admitted to making the unauthorized charges as described in Count I, above. In addition, Respondent stated as follows:

To this time, there have been more than \$40,000.00 of restitution made towards these particular unauthorized charges. I am currently in process of making restitution for the additional balance of funds owed to repay the charges in question. I initiated contact with Christine Kulagowski at American Express regarding completing restitution for these funds and remain in consistent contact with her on this matter.

22. Respondent’s statements in his letter to the Administrator on December 18, 2020, as set forth in paragraph 21 above were false because Respondent knew that he had not paid more than \$40,000.00 in restitution to anyone towards any of the unauthorized charges he made to

himself using PNTN's American Express Card. As of December 18, 2020, Respondent had only paid Intuit a total of \$875.00 in restitution under his payment plan agreement.

23. As of December 18, 2020, Respondent had not made any restitution payments to American Express.

24. Respondent knew that the statements he made to the Administrator in his December 18, 2020, letter were false at the time that he made them. Respondent made the statements described in paragraph 21 above with the intention of deceiving the Administrator into believing that he had paid more than \$40,000 in restitution.

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

- a. knowingly making false statements of material fact in connection with a disciplinary proceeding, by conduct including making false statements in a letter to the Administrator on December 18, 2020, as described in paragraph 21 during the Administrator's investigation of his conduct, in violation of Rule 8.1(a) of the Illinois Rules of Professional Conduct (2010); and
- b. conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including making false statements in a letter to the Administrator on December 18, 2020, as described in paragraph 21, during the Administrator's investigation of his conduct, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

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.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/Matthew D. Lango
Matthew D. Lango

Matthew D. Lango
Counsel for the Administrator
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601
Telephone: (312) 565-2600
Email: mlango@iadc.org
Email: ARDCeService@iadc.org