

In re Manny A. Aguja
Petitioner-Appellant

Supreme Court No. M.R. 30705
Commission No. 2021PR00010

Synopsis of Review Board Report and Recommendation
(June 2022)

Petitioner seeks reinstatement. He was disbarred on consent in 2012, based on his conviction in federal court for his participation in a conspiracy to commit marriage fraud in immigration cases.

Following a hearing at which Petitioner was represented by counsel, the Hearing Board found that Petitioner failed to prove that he is rehabilitated and meets the requirements for reinstatement, and it recommended that he not be reinstated to the practice of law at this time. Petitioner appealed, asking the Review Board to recommend that Petitioner be reinstated to the practice of law.

The Review Board affirmed the Hearing Board's findings and recommended that Petitioner should not be reinstated to the practice of law at this time.

**BEFORE THE REVIEW BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION**

In the Matter of:

MANNY A. AGUJA,

Petitioner-Appellant,

No. 6220497.

Supreme Court No. M.R. 30705

Commission No. 2021PR00010

REPORT AND RECOMMENDATION OF THE REVIEW BOARD

SUMMARY

Petitioner seeks reinstatement. He was disbarred on consent in 2012, based on his conviction in federal court for his participation in a conspiracy to commit marriage fraud in immigration cases.

Following a hearing at which Petitioner was represented by counsel, the Hearing Board found that Petitioner failed to prove that he is rehabilitated and meets the requirements for reinstatement, and it recommended that he not be reinstated to the practice of law at this time. Petitioner appealed, asking this Board to recommend that Petitioner be reinstated.

For the reasons that follow, we affirm the Hearing Board's findings of fact and agree with its recommendation that Petitioner should not be reinstated to the practice of law at this time.

BACKGROUND

The facts are fully set out in the Hearing Board's report and incorporated by reference, and they are summarized only to the extent necessary here.

FILED

June 17, 2022

ARDC CLERK

Petitioner filed his Petition for Reinstatement in February 2021. The disciplinary hearing in this matter was held on October 4, 2021, and the Hearing Board issued its Report and Recommendation on January 19, 2022. The Review Board heard oral arguments by video conference on February 18, 2022, at which Petitioner was represented by counsel.

Petitioner was admitted to the Illinois bar in 1994. Thereafter, he worked at the Cook County Public Defender's Office for at least three years. Petitioner became a solo practitioner and had his own law firm from approximately 1998 through 2012, when he was disbarred. His law practice focused on immigration, family law, real estate, and bankruptcy. Petitioner was born and raised in the Philippines, where he obtained two bachelor's degrees. He came to the United States in 1980, when he was twenty-four, and he worked in a variety of jobs before becoming an attorney. Petitioner was sixty-five at the time of the disciplinary hearing.

From 2003 through 2009, Petitioner participated in a conspiracy to obtain U.S. citizenship for individuals through the use of sham marriages. Petitioner filled out multiple immigration forms for individuals, who were fraudulently applying for visas. Petitioner knew that those forms contained false statements, including that the individuals were eligible for visas and that the marriages were genuine. Petitioner also gave advice to those individuals before their immigration interviews on how to make their sham marriages appear to be legitimate. Petitioner fraudulently helped ten couples (20 people), who were involved in sham marriages. Petitioner also enlisted the fraudulent services of his secretary and his brother in the criminal activity. Petitioner was paid \$500 for each couple, for a total of \$5,000. In 2009, Petitioner was federally indicted, along with nine other individuals, including his secretary and his brother. (Adm. Ex. 1.) In 2011, Petitioner pled guilty to conspiracy to commit marriage fraud. (Appellant's Ex. 1.)

In February 2012, Petitioner was sentenced to twenty-four months' imprisonment, followed by two years of supervised release, and he was ordered to pay \$10,100. Petitioner was disbarred on consent in March 2012. Petitioner began serving his prison sentence in May 2012, and he was released from prison in 2013, after approximately seventeen months' incarceration. Petitioner paid the \$10,100 as ordered by the court.

Petitioner neglected his responsibilities to his clients between the time that he was indicted in 2009 and the time he was sentenced in 2012, and ultimately, he abandoned his practice. During that time, four clients retained Petitioner to provide legal services that he did not provide, and he failed to refund their unearned fees. Three of those clients made claims with the ARDC Client Protection Program for the fees they paid to Petitioner totaling \$2,900, which the ARDC paid. Petitioner subsequently reimbursed the ARDC. After his disbarment, Petitioner failed to notify his clients in writing that he had been disbarred, thereby violating Supreme Court Rule 764.

While in prison, Petitioner tutored other inmates in English and participated in religious and charitable activities. After his release, Petitioner worked for his brother as a property manager, managing five buildings that his brother owned. Petitioner also did volunteer work, was active in his church, and taught catechism to teenagers. He took approximately fifty hours of Continuing Legal Education courses before the disciplinary hearing, and he informally kept track of developments in certain areas of law.

Petitioner and three character witnesses testified at the hearing. The Administrator did not call any witnesses, but it introduced five exhibits (including the federal indictment, the Court order disbarring Petitioner on consent and the supporting materials, and materials relating to three clients who filed claims for fees with the ARDC). (Hearing Bd. Report at 2.)

HEARING BOARD'S FINDINGS AND RECOMMENDATION

In determining whether to recommend that Petitioner be reinstated to practice, the Hearing Board looked to Supreme Court Rule 767(f), which instructs the hearing panel to “consider the following factors, and such other factors as the panel deems appropriate, in determining the petitioner's rehabilitation, present good character and current knowledge of the law:”

1. The nature of the misconduct for which Petitioner was disciplined;
2. The maturity and experience of Petitioner at the time discipline was imposed;
3. Whether Petitioner recognizes the nature and seriousness of the misconduct;
4. Whether Petitioner has made restitution;
5. Petitioner’s conduct since discipline was imposed; and
6. Petitioner’s candor and forthrightness in presenting evidence to support the petition.

After considering the evidence presented and applying it to the factors set forth in Rule 767(f), the Hearing Board found that Petitioner had not proved that he is rehabilitated. (Hearing Bd. Report at 17-18.) The Hearing Board focused heavily on the third factor, namely, whether Petitioner recognized the nature and seriousness of the misconduct. (*Id.* at 9-12.)

The Hearing Board found that Petitioner failed to demonstrate that he understood fully the nature and seriousness of his misconduct as a whole; identified or resolved the issues that caused him to commit the criminal conduct; or recognized fully the impact of his conduct on the immigration system and the clients who engaged in sham marriages. Moreover, his plans to resume practicing immigration law to help Filipino immigrants obtain visas created a risk of future

misconduct because that type of representation was the basis of the criminal conduct for which he was convicted. (*Id.* at 9-12; 16-17.)

The Hearing Board also placed considerable weight on the first factor, namely, the nature of the misconduct for which Petitioner was disciplined. The Hearing Board found significant that Petitioner's criminal conduct was egregious, and that his neglect and abandonment of his clients, which post-dated his criminal indictment, and his violation of Rule 764 (failure to notify clients of his disciplinary action and withdrawal from representation) were not excusable. (*Id.* at 4-5; 10-11.) Additionally, in terms of Petitioner's age and experience, the Hearing Board found that the second Rule 767(f) factor – inexperience and immaturity – did not contribute to Petitioner's misconduct since he was in his forties and had practiced law for nine years when his criminal conduct began, and thus, he had significant life experience. (*Id.* at 6.)

Accordingly, the Hearing Board recommended that Petitioner not be reinstated to the practice of law at this time.

ANALYSIS

An attorney who seeks reinstatement has the burden of proving by clear and convincing evidence that he should be reinstated. *See In re Richman*, 191 Ill. 2d 238, 244, 730 N.E.2d 45 (2000). There is no presumption in favor of reinstatement. *Id.* at 247-48. The petitioner must establish that he has been rehabilitated, is of present good character, and is currently knowledgeable about the law. *See In re Livingston*, 133 Ill. 2d 140, 142, 549 N.E.2d 342 (1989).

We generally will not disturb the Hearing Board's factual findings unless they are against the manifest weight of the evidence. *See In re Timpone*, 157 Ill. 2d 178, 196, 623 N.E.2d 300 (1993). A factual finding is against the manifest weight of the evidence where the opposite conclusion is clearly evident or the finding appears unreasonable, arbitrary, or not based on the

evidence. See *Leonardi v. Loyola University*, 168 Ill. 2d 83, 106, 658 N.E.2d 450 (1995); *Bazydlo v. Volant*, 164 Ill. 2d 207, 215, 647 N.E.2d 273 (1995).

We review the Hearing Board’s legal conclusions *de novo*. See *In re Scroggins*, 94 SH 638 (Review Bd., May 13, 1996) at 13, *approved and confirmed*, M.R. 10561 (Sept. 24, 1996). We also review the Hearing Board recommendation *de novo*; see also, *In re Martinez-Fraticelli*, 03 PR 3002 (Review Bd., April 13, 2005) at 5, *recommendation adopted*, 221 Ill. 2d 255, 850 N.E.2d 155 (2006). The factors enumerated in Rule 767(f), together with other relevant factors, must be considered as a whole. See *In re Voltl*, 2013PR00006 (Review Bd., Oct. 26, 2021) at 4, *petition for leave to file exceptions denied*, M.R. 29943 (March 25, 2022) (denying the petition for reinstatement and stating “[e]ach factor enumerated in Rule 767(f) cannot be considered in isolation from the others. Rather, that rule presents a balancing test, the outcome of which indicates whether or not reinstatement is appropriate.”) Under the totality of the circumstances, we find that Petitioner has not met his burden of proving that he should be reinstated at this time.

Petitioner’s Misconduct was Egregious and Weighed Heavily Against Reinstatement

Petitioner argues that the Hearing Board disregarded much of Petitioner’s testimony concerning the seriousness of his offense and his remorse and regret for his actions and, therefore, it erred in finding that his criminal conduct weighed against reinstatement. That argument is unpersuasive.

Petitioner’s criminal conduct was very serious. Petitioner was the only attorney among the criminal defendants who engaged in the fraudulent marriage scam, and he used his position to help defraud the immigration service over a period of six years. The evidence showed that Petitioner lied repeatedly on immigration forms, and he coached others to lie to the immigration service. Moreover, Petitioner helped more than twenty other people break the law,

including his secretary and his brother. In fact, his brother went to prison in large part because of Petitioner's misconduct. (Tr. 111-12.) The Hearing Board described Petitioner's criminal conduct as follows:

The misconduct that led to Petitioner's disbarment was egregious. Not only did Petitioner participate in a fraudulent scheme to evade the immigration laws, but he used his law license to facilitate that scheme. Petitioner acted knowingly, as he knew from the outset that these marriages were shams. Petitioner's conduct was not a one-time occurrence, but involved multiple acts over time. Petitioner prepared documents that contained false statements, filed the false documents with [immigration], and coached couples how to respond during [immigration] interviews. This was done to circumvent the immigration laws, by misleading [the immigration service] into believing that the fraudulent marriages were legitimate. The conspiracy continued into October 2009, stopping only once the indictment was filed. While money may not have been Petitioner's primary motivation, Petitioner benefitted from his participation in the conspiracy, as he received payment for each of the matters in which he acted. Petitioner's behavior shows that he put his own interests and assessment of the equities ahead of his clients' legitimate interests and the law itself.

(Hearing Bd. Report at 4-5.)

Although Petitioner's criminal conduct does not preclude reinstatement, his misconduct weighs heavily against reinstatement. *See In re Voltl*, 2013PR00006 (Review Bd., Oct. 26, 2021) at 5, *petition for leave to file exceptions denied*, M.R. 29943 (March 25, 2022) (stating "[b]ecause Petitioner's conduct was so egregious, the other factors must tilt the scale extraordinarily in favor of rehabilitation."); *In re Howard*, 05 PR 3006 (Hearing Bd., April 21, 2006) at 17, *recommendation denying reinstatement adopted*, (Review Bd., May 18, 2007), *petition for leave to file exceptions denied and petition for reinstatement denied*, M.R. 20173 (Sept. 18, 2007) (stating "[t]he severity of the misconduct leading to an attorney's discipline is an important factor in determining whether reinstatement is warranted. Indeed, the Supreme Court has cautioned that the significance of this factor cannot be minimized by subsequent exemplary

conduct.”) We conclude that the Hearing Board did not err in finding that this factor weighed against reinstatement.

Petitioner Failed to Recognize the Nature and Seriousness of His Misconduct

Petitioner argues that the Hearing Board erred by finding that he did not understand the nature and seriousness of his misconduct and by failing to give sufficient weight to his testimony, including his admission of wrongdoing and expression of remorse. That argument is not persuasive.

The Hearing Board’s determination concerning whether a petitioner understands the seriousness of his misconduct is a factual determination and is generally entitled to great deference on review. *See In re Madsen*, 08 PR 3002 (Review Bd., March 14, 2011) at 8, *petition for leave to file exceptions denied*, M.R. 22475 (Sept. 20, 2011) (stating “[a] petitioner’s understanding of his misconduct is a factual issue and as such, the Hearing Board’s determination must be given great deference.”); *In re Martinez-Fraticelli*, 221 Ill. 2d 255, 276, 850 N.E.2d 155 (2006) (stating that “having listened to petitioner’s testimony for several hours and having observed petitioner’s behavior over the course of the hearing, the Hearing Board was uniquely positioned to determine that petitioner recognized the nature and seriousness of his misconduct.”); *In re May*, 93 CH 320 (Review Bd., Sept. 6, 1995) at 12, *petition for leave to file exceptions denied*, M.R. 11764 & 11457 (Dec. 1, 1995) (stating “[d]ecisions as to a respondent’s credibility and the extent to which he or she comprehends the seriousness of the misconduct involve factual determinations. As to such matters, the decision of the Hearing Board is given great deference.”).

In the instant case, the Hearing Board found that Petitioner did not understand the nature or seriousness of his misconduct and concluded that this factor weighed heavily against his reinstatement. (Hearing Bd. Report at 12.) We agree. *See In re Sosman*, 2012PR00150 (Hearing

Bd., May 23, 2014) at 32, *approved and confirmed*, M.R. 25693 (Sept. 12, 2014) (stating “[a]n attorney’s failure to recognize or acknowledge the wrongful nature of his or her conduct raises significant concerns regarding the attorney's ability to adhere to ethical norms in the future.”); *In re Tuchow*, 90 CH 305 (Review Bd. Oct 12, 1994) at 15, *petition for leave to file exceptions denied*, M.R. 6757 (Jan. 25, 1995) (stating “reinstatement is legitimately denied where the Hearing Board concludes that the petitioner does not recognize the nature and gravity of his or her misconduct.”); *In re Samuels*, 126 Ill. 2d 509, 531, 535 N.E.2d 808 (1989) (stating that the attorney’s refusal to acknowledge wrongdoing “does not inspire confidence that respondent is ready to recognize his duty as an attorney and to conform his conduct to that required by the profession.”); *In re Mason*, 122 Ill. 2d 163, 173-74, 522 N.E.2d 1233 (1988) (stating “[a]n attorney's failure to recognize the wrongfulness of his conduct often necessitates a greater degree of discipline than is otherwise necessary, in order that the attorney will come to appreciate the wrongfulness of his conduct and not again victimize members of the public with such misconduct.”). As discussed below, the Hearing Board’s finding on this issue is not against the manifest weight of the evidence.

Petitioner Failed to Explain Fully Why He Violated the Law

The Hearing Board’s finding that Petitioner does not understand the seriousness of his misconduct was based, in part, on Petitioner’s failure to identify and resolve whatever issues caused him to engage in criminal conduct and abandon his clients. (Hearing Bd. Report at 15.) The Hearing Board stated that Petitioner’s “very general testimony that he now appreciates his law license and realizes the importance of his responsibilities to clients is not enough to persuade us that he possesses the self-awareness and good judgment necessary to return to the practice of law.” (*Id.*) The Hearing Board viewed Petitioner's demeanor while he testified and, therefore, it was in the best position to evaluate the depth and breadth of Petitioner's understanding of his wrongdoing,

self-awareness, and judgment. Accordingly, we defer to the Hearing Board's findings on those issues.

Although Petitioner was given the opportunity to explain his motivation for engaging in criminal conduct, he failed to explain satisfactorily why he risked being prosecuted, convicted, and imprisoned, and losing his law license. His only answer was that he wanted to help people. (*Id.* at 4.) That explanation, however, makes little sense, given his ability as an immigration attorney to help people through legal means, as he was trained to do, and as he did for years.

The Hearing Board also found that Petitioner did not address fully the harmful impact of his conduct on the immigration system and the clients who engaged in sham marriages, and he gave limited recognition to his financial benefit from the fraud scheme. (*Id.* at 10.) The record shows that even though Petitioner made brief references to those issues in passing, his testimony failed to demonstrate that he seriously and substantively considered those issues. For example, Petitioner testified that he lost contact with his secretary and did not know whether she went to prison. (Tr. 111-12.) Therefore, Petitioner did not know the impact that his misconduct had on her and he failed to identify any actions that he undertook to contact his secretary to see how she was faring, or to apologize for getting her involved in the scheme, which seems to be inconsistent with his expressed remorse.

Petitioner Did Not Truly Understand the Significance of His Neglect of His Clients

The Hearing Board found that Petitioner's neglect and abandonment of his clients also constituted serious misconduct. (Hearing Bd. Report at 10-11.) The Hearing Board's finding that Petitioner failed to recognize the seriousness of his misconduct was based, in part, on his failure to understand the seriousness of his neglect and abandonment of clients and his violation of Rule 764. (*Id.*) The Hearing Board stated:

Petitioner attributed his lack of diligence and proper communication to stress and preoccupation with his pending criminal matter. We found that explanation untenable, especially in light of Petitioner's behavior at the time. Petitioner agreed to represent [a client] several months before he was indicted. Further, Petitioner continued accepting new clients while the criminal proceedings were pending. In fact, Petitioner accepted [another client's] case four months after filing his plea agreement. The contradiction between Petitioner's behavior and his statements at hearing left us unconvinced that Petitioner truly understands the significance of his neglect of these clients.

(*Id.*) In short, Petitioner's attempt to minimize the neglect of his clients and his explanation show that he does not fully understand the seriousness of that wrongdoing.

Petitioner Also Failed to Recognize the Seriousness of His Violation of Rule 764

The Hearing Board found that Petitioner's violation of Rule 764 was significant, especially since Petitioner placed his own concerns about his criminal case ahead of his clients' interests. (*Id.* at 15.) Petitioner testified that he failed to comply with Rule 764 (client notification of disciplinary action and withdrawal) because he was overwhelmed and anxious as a result of the short period of time between his sentencing in the criminal case and his incarceration. (*Id.* at 8.)

The Hearing Board rejected that testimony, stating:

This explanation was likewise untenable. Rule 764's requirements may not have been triggered until Petitioner actually was disbarred [in March 2012], but his disbarment, and the need to notify his clients of it, should have come as no surprise. As early as April 2011, when the court entered judgment on his plea agreement, Petitioner knew that he had been found guilty of a serious crime Petitioner had ample time to anticipate that he would be disciplined and to begin taking steps to protect the interests of any clients who remained with him by the time discipline was imposed.

(*Id.* at 11.) The Hearing Board rejected Petitioner's testimony concerning this issue, and we do not second guess that credibility determination.

We conclude that the Hearing Board's finding that Petitioner failed to understand the nature and seriousness of his conduct, and its related findings discussed above, are not against the manifest weight of the evidence.

Petitioner's Plan to Practice Immigration Law Creates a Risk to the Public

Petitioner next argues that the Hearing Board erred in finding that his plan to practice employment-based immigration law, including helping Filipino workers obtain visas, weighed against reinstatement. Petitioner argues further that his plan does not present a risk of future misconduct or adversely impact the safety of the public and the legal profession. That argument fails.

The Hearing Board expressed legitimate concerns about Petitioner's plan to practice immigration law, as a solo practitioner, to help Filipino immigrants obtain visas, since he previously violated the law in this type of representation. (*Id.* at 16-17.) Stated differently, by working again as a solo practitioner representing Filipino immigrants, Petitioner could be placed in a similar position that could lead him to future unethical or illegal conduct. *See In re Richman*, 191 Ill. 2d at 247 (denying the petition for reinstatement and stating the attorney had "failed to remove himself from the milieu that fostered his earlier misconduct"); *accord, In re Hildebrand*, 2010PR00102 (Review Bd., Aug. 6, 2012) at 15, *petition for leave to file exceptions denied*, M.R. 24031 (Nov. 19, 2012) (stating "[t]o recommend reinstatement, we should be confident that Petitioner has recognized the causes of his misconduct and has presented a realistic, detailed plan to face any future challenges."); *In re Howard*, 05 PR 3006 (Review Bd., May 18, 2007) at 15-19, *petition for leave to file exceptions denied*, M.R. 20173 (Sept. 18, 2007) (reinstatement denied, in part, because the attorney had not articulated "any real plan for how to avoid future similar misconduct").

The Hearing Board explained its reasoning:

Petitioner intends to resume handling immigration matters, the same area of the law in which his prior misconduct occurred. This can be a significant concern, in and of itself Moreover, Petitioner hopes to assist persons, especially Filipino nurses, seeking employment in the United States. This raises special concerns given the reasons Petitioner identified for his participation in the conspiracy, i.e. to help Filipino immigrants seeking to support family at home. Petitioner plans to work with a very similar population, seeking essentially the same goals. It also appears that Petitioner, though willing to seek help from other attorneys, intends to practice on his own. Petitioner's plan does not inspire confidence that the public would be protected if reinstatement were allowed. This factor weighs against reinstatement.

(Hearing Bd. Report at 17) (citation omitted.)

Additionally, as noted above, Petitioner testified that he violated the immigration laws because he wanted to help certain immigrants obtain visas (*id.* at 4), which suggests that Petitioner disagreed with the immigration laws that prevented those immigrants from obtaining visas through legal means. While attorneys may disagree with the law, they must follow the law as it exists; attorneys cannot violate the law or disregard it simply because they object to that law. Petitioner's prior unwillingness to comply with immigration laws creates the potential risk that he may not comply with immigration laws in the future, particularly in light of his strong desire to help Filipino immigrants then and now.

Based on Respondent's stated future client goals, the Hearing Board's concern that Petitioner's plan to practice immigration law as a solo practitioner – in the same legal specialty that was the basis of his federal conviction – is reasonable, and the finding that Petitioner's plan weighs against reinstatement is not error.

Petitioner's Conduct After Disbarment Did Not Warrant Reinstatement

Finally, Petitioner argues that his post-disbarment conduct, together with the testimony of the character witnesses, provided sufficient evidence of rehabilitation for the Hearing

Board to recommend reinstatement. The argument is unpersuasive, and the Hearing Board did not err.

There is no question that Petitioner has done outstanding community, volunteer, and religious work and has been successfully employed since he was disbarred, earning the praise of many others. We commend him for that. However, we have carefully considered that evidence, as well as the testimony of the character witnesses, and it does not convince us that reinstatement is appropriate at this time.

However, in the future, Petitioner may be able to provide sufficient evidence to warrant reinstatement. For example, Petitioner may offer a different plan for practicing law that does not include practicing immigration law or working as a solo practitioner; he may propose probationary conditions that will help protect the public; and he may be able to address and resolve certain issues discussed herein.

Although we disagree with the Hearing Board's premise that Petitioner's post-disbarment community activities and employment are not significant because he engaged in similar activities before his disbarment (*id.* at 14), we conclude that Petitioner's post-disbarment conduct does not overcome the other factors that weigh against reinstatement, even when considered with the testimony of the character witnesses. *See In re Hildebrand*, 2010PR00102 (Review Bd., Aug. 6, 2012) at 14-15, *petition for leave to file exceptions denied*, M.R. 24031 (Nov. 19, 2012) (stating “[w]hile Petitioner’s current employment has been commendable, he has not presented sufficient evidence at this time as to his understanding of his misconduct and as to his plans to avoid future misdeeds to overcome our concerns.”); *In re Voltl*, 2013PR00006 (Review Bd., Oct. 26, 2021) at 4-5, 7, *petition for leave to file exceptions denied*, M.R. 29943 (March 25, 2022) (although the attorney had “done much to turn his life around,” his post-disbarment conduct

was not enough to overcome other factors that weighed against reinstatement). Moreover, Petitioner's conduct after he was disbarred includes his violation of Rule 764 and his abandonment of his clients, as discussed above, which weigh against reinstatement.

In sum, we agree with the Hearing Board's findings that Petitioner's misconduct was egregious; he failed to recognize the nature and seriousness of his wrongdoing; he failed to identify or resolve the issues that caused him to commit the misconduct; his plan to practice immigration law creates a risk of future misconduct; and he was mature and experienced at the time of the misconduct. Considering these factors and the record as a whole, we conclude that Petitioner's request to be reinstated should be denied at this time.

CONCLUSION

For the foregoing reasons, we affirm the Hearing Board's findings regarding reinstatement, and recommend that Petitioner not be reinstated to the practice of law at this time.

Respectfully submitted,

Charles E. Pinkston, Jr.
Scott J. Szala
Esther J. Seitz

CERTIFICATION

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Review Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on June 17, 2022.

/s/ Michelle M. Thome

Michelle M. Thome, Clerk of the
Attorney Registration and Disciplinary
Commission of the Supreme Court of Illinois

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In the Matter of:

MANNY A. AGUJA,

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**PROOF OF SERVICE
OF THE REPORT AND RECOMMENDATION
OF THE REVIEW BOARD**

I, Michelle M. Thome, hereby certify that I served a copy of the Report and Recommendation of the Review Board on the parties listed at the addresses shown below by e-mail service on June 17, 2022, at or before 5:00 p.m. At the same time, a copy was sent to Counsel for the Administrator-Appellee by e-mail service.

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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

Michelle M. Thome,
Clerk

By: /s/ Michelle M. Thome
Michelle M. Thome
Clerk

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FILED

June 17, 2022

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