

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

FILED 8:00 alw
10/11/2022 ~~12:00~~ AM
ARDC Clerk

In the Matter of:)
)
 Respectfully submitted,)
) No. 2022PR00077
 DAVID HALL,)
)
 Attorney-Respondent,)
)
 No. 6333638.

RESPONDENT DAVID HALL’S ANSWER TO ADMINISTRATOR JEROME LARKIN’S COMPLAINT

Respondent, DAVID HALL (“Respondent”), by and through his undersigned counsel, for his Answer to the Administrator’s Complaint, states as follows:

COUNT I

(Creation of False Billing Entries and Misrepresentations to Employer)

1. In 2017, while attending law school in Chicago, Respondent began working as a summer associate at Dentons US LLP (“Dentons”). In October 2018, he joined the firm as an associate attorney.

ANSWER: Respondent admits the allegations of paragraph 1.

2. Throughout his employment with Dentons, Respondent was assigned primarily to the firm’s litigation group. As a new associate attorney, one of Respondent’s primary responsibilities with respect to representation of the firm’s clients in litigation matters was to handle document review projects, often in connection with discovery productions.

ANSWER: Respondent admits the allegations of paragraph 2.

3. During Respondent's employment at Dentons, he prepared records relating to the time he spent providing legal services to Dentons' clients. Dentons billed clients for Respondent's services based on these records of time multiplied by his hourly billing rate.

ANSWER: Respondent admits the allegations of paragraph 3 generally but he denies that clients were billed for Respondent's services relevant to this Complaint. Please refer to the Administrator's allegations of Paragraph 10.

4. In late 2020 and early 2021, Respondent was assigned to a document review project in which he was to review a substantial number of documents belonging to one of Denton's clients to determine which documents should be produced by the client in response to discovery requests in a litigation matter. As part of his review of the client's documents, Respondent was responsible for determining which documents were relevant and responsive to the discovery requests in the litigation, which were irrelevant or non-responsive, and which documents may be subject to attorney-client privilege. Respondent would use the firm's document review software to mark the documents as reviewed, and would flag the reviewed documents as responsive, non-responsive, or subject to privilege.

ANSWER: Respondent admits the allegations of paragraph 6 generally but denies the characterization of the document review project. The project did not require determinations of relevancy, responsiveness, or privilege. The project required a comprehensive review of individual files—each of which could be hundreds of pages—after which Respondent provided a substantive review of information contained within them.

5. Between December 2020 and March 2021, with regard to the document review project described in paragraph 4 above, Respondent marked a total of 425 documents as having

been reviewed by him and recorded a total of approximately 277 hours of time related to the review of said documents. Respondent then submitted his billing entries to his supervisors at Dentons.

ANSWER: Respondent admits he marked a number of documents as having been reviewed by him and recorded time related to the review of those documents during the time frame alleged. Respondent lacks information sufficient to admit or deny the allegations related to the specific number of documents reviewed or number of hours recorded as alleged in paragraph 5, and therefore leaves the Administrator to his burden of proof.

6. In or about March 2021, upon reviewing Respondent's work, Respondent's supervisors at Dentons determined that Respondent had not opened or reviewed approximately 405 of the 425 documents that he claimed to have reviewed, and for which he submitted time records, as described in paragraph 5 above.

ANSWER: Respondent admits a supervising associate at Dentons determined he had not reviewed a number of the documents marked as reviewed in March 2021. Respondent lacks information sufficient to admit or deny the allegations as to the specific number of documents alleged in paragraph 6, and therefore leaves the Administrator to his burden of proof.

7. Respondent's records of time he spent on document review, as described in paragraph 5 above, were false because he had only reviewed approximately 20 of the 425 documents he had marked as reviewed. In addition, between December 2020 and March 2021, Respondent had not spent 277 hours reviewing the documents he claimed to have reviewed.

ANSWER: Respondent admits the records of time he had spent on the document review project were false. Respondent lacks information sufficient to admit or deny the allegations regarding the specific number of documents alleged in paragraph 7, and therefore leaves the Administrator to his burden of proof.

8. At the time Respondent prepared the billing entries described in paragraph 5 above, Respondent knew the entries were false because he knew he had not completed the work he described in those entries. Respondent falsely claimed to have reviewed documents and made false billing entries for the purpose of deceiving his supervisors into believing that he had performed work for the firm's client when he had not.

ANSWER: Respondent admits his entries were false because he had not completed the work but denies that he acted with the intention of deceiving his supervisors into believing that he had performed work for the firm's clients. Respondent intended to complete the work but failed to do so when an underlying anxiety disorder and chronic depression were exacerbated by the stress of having a second child during the COVID-19 pandemic. Respondent admits the remaining allegations of paragraph 8.

9. On March 12, 2021, after a review of Respondent's billing and document review records, attorneys from Dentons confronted Respondent about his false document review entries. Respondent admitted to Dentons personnel that he had not reviewed the documents and that his billing entries relating to the document review project contained false information. Dentons then terminated Respondent's employment.

ANSWER: Respondent admits the allegations of paragraph 9.

10. Attorneys from Dentons discovered Respondent's false entries concerning his document review and billing entries as described above before any clients of the firm were billed for his work.

ANSWER: Respondent admits the allegations of paragraph 10.

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

- a. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including knowingly making false statements in recording time spent on document review when he had not in fact reviewed the documents and knowingly creating billing entries that exceeded the time actually spent working on client matters, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Respondent admits the factual allegations of paragraph 11 but denies that he acted intentionally in violation of Rule 8.4(c) because when he recorded time, he intended to complete the work but was suffering from an anxiety disorder and chronic depression which interfered with his ability to do so.

Respondent's Professional Information pursuant to Commission Rule 231

Respondent is admitted to Practice in the following other Courts:

- The United States District Court for the Central District of Illinois (March 2020)
(David Arthur Hall)

Respondent holds no other professional license.

Dated: October 7, 2022 Respectfully submitted,

DAVID HALL

HINSHAW & CULBERTSON LLP

By: /s/Thomas P. McGarry

Thomas P. McGarry
One of His Attorneys

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AFFIDAVIT OF INSUFFICIENT KNOWLEDGE

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements of lack of knowledge or information in the foregoing Answer to the Administrator's Complaint are true and correct, to the best of the undersigned's knowledge, information and belief.

A handwritten signature in black ink, appearing to read 'D. Hall', written over a horizontal line.

David A. Hall