

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:)	
)	
CORY E. MCGINN,)	Supreme Court No. M.R.
)	
Attorney No. 6308002,)	Commission No. 2022PR00085
)	
Movant.)	

MOTION PURSUANT TO SUPREME COURT RULE 762(a)

Movant, Cory E. McGinn, respectfully represents to the Court that:

1. Movant was licensed to practice law in Illinois on May 10, 2012.
2. Movant desires to have his name stricken from the Roll of Attorneys pursuant to Rule 762(a), effective immediately.
3. Filed contemporaneously with this motion are a statement of charges prepared by the Administrator and Movant's affidavit in support of this motion.

WHEREFORE, Movant respectfully requests that the Court enter an order striking his name from the Roll of Attorneys.

Respectfully submitted,


 Cory E. McGinn

Cory E. McGinn
 5113 Lee Avenue
 Downers Grove, Illinois 60515-4305
 Telephone: (630) 724-7763
 Email: corymcginn@gmail.com

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STATEMENT OF CHARGES PURSUANT TO SUPREME COURT RULE 762(a)

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission (“ARDC”), by his attorney Scott Renfroe, pursuant to Supreme Court Rule 762(a), states that on the date Cory E. McGinn (hereinafter “Movant”) filed a motion requesting that his name be stricken from the Roll of Attorneys, a one-count complaint was pending against Movant before the ARDC’s Hearing Board charging him with intentionally and dishonestly converting approximately \$106,000 in client funds he received in connection with more than 20 personal injury matters. Had Movant’s conduct been the subject of a hearing, the Administrator would have introduced the evidence described below, and that evidence would have clearly and convincingly established the misconduct indicated below:

I. FACTUAL BACKGROUND

Movant’s admissions, testimony from Movant’s former clients and other witnesses, and records from Movant’s client fund account would have established the following:

1. During the period described in this statement of charges, Movant practiced as a sole practitioner in Downers Grove and concentrated in the representation of claimants in personal injury matters. In operating that practice, Movant maintained and was the sole signatory on a Chase IOLTA account ending in the four digits 5537, which was entitled “McGinn Law Office, Inc.

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IOLTA Trust Account,” and which Movant used as the depository of funds belonging presently or potentially to the firm’s clients, to third parties (including lienholders), or to Movant.

2. Beginning in 2020, Movant delayed in making payments to lienholders and to certain clients after he received the settlement proceeds in 26 cases. Several times each month, Movant intentionally withdrew funds from the Chase IOLTA account by making transfers to other accounts or by making withdrawals of funds that he subsequently used for his own purposes. As a result of those transactions, by September 30, 2022, when he should have been holding \$109,292.22 for the benefit of clients or their lienholders, Movant had drawn the balance in the Chase IOLTA account to \$2,450.64.

3. As of September 30, 2022, Movant had, without authority from his clients or the various lienholders, used for his own business or personal purposes at least \$106,841.58 of the client or third-party funds. Movant’s use of those funds constitutes conversion, and Movant acted dishonestly because he knew that he was using those funds for his own purposes without authority.

B. *Conclusions of Misconduct*

8. By reason of the conduct described above, Movant has engaged in the following misconduct:

- a. failure to hold property of clients or third persons that is in a lawyer’s possession in connection with a representation separate from the lawyer’s own property, by conduct including converting at least \$106,841.58 of personal injury settlement funds relating to the clients or their lienholders to Movant’s own use, by causing the balance in his IOLTA account to fall below the amount then belonging to the clients or their lienholders, in violation of Rule 1.15(a) of the Illinois Rules of Professional Conduct (2010);
- b. failure to promptly deliver to the client or third person any funds that the client or third person is entitled to receive, by conduct including failing to promptly deliver the \$106,841.58 of personal injury settlement funds that the

clients or their lienholders were entitled to receive, in violation of Rule 1.15(d) of the Illinois Rules of Professional Conduct (2010); and

- c. conduct involving dishonesty, fraud, deceit or misrepresentation, by knowingly and intentionally converting at least \$106,841.58 of personal injury settlement funds belonging to his clients or their lienholders to his own use, without authority, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Scott Renfroe
Scott Renfroe

Scott Renfroe
Counsel for Administrator
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601
Telephone: (312) 540-5211
Email: srenfroe@iadc.org
ARDCeService@iadc.org

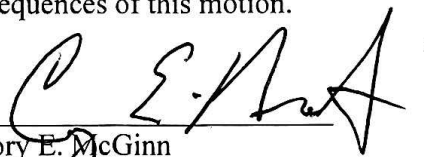
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AFFIDAVIT

Affiant, Cory E. McGinn, being first duly sworn, states:

1. Affiant has filed with this Court a motion to strike his name from the Roll of Attorneys licensed to practice law in Illinois, pursuant to Rule 762(a).
2. Affiant has received and reviewed a copy of the Administrator's statement of the charges that were pending against Affiant as of the filing of the instant motion. If the case proceeded to a hearing, the Administrator would present the evidence described in the statement of charges, and the evidence would clearly and convincingly establish the facts and conclusions of misconduct set forth in the statement of charges.
3. Affiant's motion is freely and voluntarily made.
4. Affiant understands the nature and consequences of this motion.


 Cory E. McGinn

Subscribed and sworn to before me this 17 day of July, 2023


 NOTARY PUBLIC



Cory E. McGinn
 5113 Lee Avenue
 Downers Grove, Illinois 60515-4305
 Telephone: (630) 724-7763
 Email: corymcginn@gmail.com

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NOTICE OF FILING

TO: Cory E. McGinn
 Movant
 5113 Lee Avenue
 Downers Grove, Illinois 60515-4305
corymcginn@gmail.com

PLEASE TAKE NOTICE that on July 17, 2023, electronic copies of Movant’s MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator’s STATEMENT OF CHARGES and Movant’s AFFIDAVIT, were submitted to the Clerk of the Supreme Court for filing. On that same date, a copy was served on Movant, by regular mail and email at corymcginn@gmail.com at or before 4:00 p.m.

Respectfully submitted,
 Jerome Larkin, Administrator
 Attorney Registration and
 Disciplinary Commission

By: /s/ Scott Renfroe
 Scott Renfroe

Scott Renfroe
 Counsel for Administrator
 130 East Randolph Drive, Suite 1500
 Chicago, Illinois 60601
 Telephone: (312) 540-5211
 Email: srenfroe@iadc.org
ARDCeService@iadc.org

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PROOF OF SERVICE

The undersigned, an attorney, hereby certifies, pursuant to the Illinois Code of Civil Procedure, 735 ILCS 5/109, that the Administrator served copies of the Notice of Filing, Movant's MOTION PURSUANT TO SUPREME COURT RULE 762(a), Administrator's STATEMENT OF CHARGES PURSUANT TO SUPREME COURT RULE 762(a) and Movant's AFFIDAVIT, on the individual at the address shown on the forgoing Notice of Filing, by regular mail and email at corymcginn@gmail.com on July 17, 2023 at or before 4:00 p.m.

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 he verily believes the same to be true.

/s/ Scott Renfroe

Scott Renfroe

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