In re Gabriel Paul Casey
Attorney-Respondent

Commission No. 2022PR00071

Synopsis of Hearing Board Report and Recommendation
(August 2023)

The Administrator charged Respondent in a single-count complaint with engaging in dishonesty, making a false statement of material fact to a third person, and threatening to present criminal charges to obtain an advantage in a civil matter, based on statements he made in a settlement demand letter. Following a hearing at which Respondent failed to appear, the Hearing Board found that the Administrator proved the charges of misconduct. The Hearing Board found minimal mitigation and significant aggravation, including that Respondent did not adequately or meaningfully participate in his disciplinary proceedings, showed disrespect for the disciplinary process, and failed to acknowledge or accept responsibility for his conduct. The Hearing Board recommended that Respondent be suspended for one year and until further order of the Court.

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

In the Matter of:

GABRIEL PAUL CASEY,

Attorney-Respondent,

No. 6305599.

Commission No. 2022PR00071

REPORT AND RECOMMENDATION OF THE HEARING BOARD

SUMMARY OF THE REPORT

The Administrator charged Respondent in a single-count complaint with engaging in dishonesty, making a false statement of material fact to a third person, and threatening to present criminal charges to obtain an advantage in a civil matter. Following a hearing at which Respondent failed to appear, the Hearing Board found that the Administrator proved the misconduct charges and recommended that Respondent be suspended for one year and until further order of the Court.

INTRODUCTION

The hearing in this matter was held at the ARDC's Springfield office on March 27, 2023, before a panel of the Hearing Board consisting of John L. Gilbert, Chair, Laura K. Beasley, and Elizabeth Delheimer. David B. Collins represented the Administrator. Respondent, who represented himself throughout his disciplinary proceedings, failed to appear for his hearing.

PLEADINGS AND MISCONDUCT ALLEGED

On September 6, 2022, the Administrator filed a one-count complaint against Respondent, alleging that Respondent engaged in conduct involving dishonesty, made a false statement of material fact to a third person, and threatened to present criminal charges to obtain an advantage

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in a civil matter, in violation of Illinois Rules of Professional Conduct 8.4(c), 4.1(a), and 8.4(g), respectively, based upon statements he made in a settlement demand letter he wrote and sent on behalf of a client.

In his answer and supplemental answer, Respondent admitted some of the factual allegations, denied others, and denied the charges of misconduct.

EVIDENCE

The Administrator's Exhibits 1 through 7 were admitted into evidence. (Tr. 15-16). In addition, because Respondent failed to respond adequately to the Administrator's request for admission of facts and genuineness of documents, the facts contained in the request to admit were deemed admitted and the documents attached to the request to admit were deemed genuine. (Order dated Jan. 11, 2023). At hearing, the Administrator presented testimony from three witnesses. Respondent presented no evidence, after he was barred from doing so for failure to comply with his discovery obligations.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In attorney disciplinary proceedings, the Administrator has the burden of proving the charges of misconduct by clear and convincing evidence. In re Winthrop, 219 Ill. 2d 526, 542, 848 N.E.2d 961 (2006). Clear and convincing evidence requires a high level of certainty, which is greater than a preponderance of the evidence but less stringent than proof beyond a reasonable doubt. In re Santilli, 2012PR00029, M.R. 26572 (May 16, 2014) (Hearing Bd. at 3) (citing People v. Williams, 143 Ill. 2d 477, 484-85, 577 N.E.2d 762 (1991)). In determining whether the Administrator has met that burden, the Hearing Board assesses witness credibility, resolves conflicting testimony, and makes factual findings. In re Edmonds, 2014 IL 117696, ¶ 35; In re Winthrop, 219 Ill. 2d at 542-43.

The Administrator charged Respondent with engaging in dishonest conduct, making a false statement of material fact to a third person, and threatening to present criminal charges to obtain an advantage in a civil matter.

Summary

Respondent engaged in dishonest conduct and made a false statement of material fact to a third person, in violation of Rules 8.4(c) and 4.1(a), by falsely stating in a settlement demand letter that he had spoken with the Tazewell County State's Attorney about a claim his client was bringing against the letter recipients and that the State's Attorney was interested in prosecuting the letter recipients. He also threatened to present criminal charges to obtain an advantage in a civil matter, in violation of Rule 8.4(g), by threatening to report the letter recipients' alleged crimes to a law enforcement agency unless they settled his client's claim.

A. Admitted Facts and Evidence Considered

Respondent was licensed to practice law in Illinois in November 2011. He has been a solo practitioner since 2015, handling primarily litigation matters in the areas of consumer law, eviction defense, administrative law, election law, and attorney malpractice, among other things. (Adm. Ex. 5 at 21, 24-26).

In February 2022, Respondent and Jacob Goodbred entered into an agreement pursuant to which Respondent agreed to provide legal services to Goodbred in connection with litigation against Jeffery and Julie Barbee for elder/disabled abuse of Goodbred's great aunt, Marilyn Worlow. (Adm. Ex. 3 at 13, ¶ 1). Per the agreement, Goodbred agreed to pay Respondent 10 percent of any settlement, or 33 1/3 percent of any amount awarded through trial court litigation. (Adm. Ex. 3 at 13, ¶ 2).

On April 4, 2022, Respondent drafted a letter and sent it to the Barbees. The letter informed the Barbees that Goodbred had retained Respondent to represent him against them for their actions

against the property and real estate of Worlow. The letter alleged that the Barbees had financially exploited Worlow in violation of the Financial Exploitation Act, 720 ILCS 17-56, *et seq*., and asserted that they could and would be criminally charged with a Class 1 felony and that Respondent would file a civil suit under the Act. (Adm. Ex. 3 at 17).

The letter stated, in pertinent part:

> **Should you be unwilling to settle your actions with Jacob under this demand, He [sic] will immediately report to the most apt law enforcement agency for reporting and prosecution of the crimes you have committed**, in addition to civil litigation instituted by my firm. We have several other family members with direct knowledge of your actions that will also join him in the police report. **I have already spoken to Julie's former employer, Stuart [sic] Umholtz, concerning this claim and he is interested in prosecuting.** The fact that he is running for judge at this very moment is evidence that he will have no choice but to prosecute you both to the fullest extent of the law or risk his election as an elected official who will let his employees and associates commit crimes without prosecution.

(Adm. Ex. 3 at 17-18) (emphasis added).

The letter further stated:

> **This demand is your ONLY opportunity to resolve what you have done without both civil and criminal prosecution** and the losses I have outlined under the Financial Exploitation Act above. Do not take this lightly, thinking it can be ignored, or that you can avoid severe consequences for your wrongful actions. You should immediately consult an attorney.
>
> **Jacob is willing to settle this claim, which means that neither he, nor the family members we spoke to, will pursue criminal prosecution or civil litigation against either of you under the Act.** In full settlement, Jacob will accept the amount of $950,000.00 (Nine-Hundred and Fifty-Thousand Dollars). This offer of settlement will be valid for only two-weeks [*sic*] after it is delivered. **After that period, without further communication or warning, we will begin the criminal process and pursue civil litigation. If the demand is accepted prior to this deadline, we will postpone pursuit while a settlement contract is drafted and executed.** This offer of settlement must be accepted in writing executed by both of you, to be valid. The acceptance may be mailed or sent electronically.

(Adm. Ex. 3 at 18) (emphasis added).

Testimony of Stewart Umholtz

Stewart Umholtz served as the Tazewell County State's Attorney from 1995 until September 2022, when he was appointed to a Tazewell County Circuit Court judgeship. (Tr. 18-19). Umholtz testified that, some time before April 2022, Respondent came to his office unannounced and asked to see him. Umholtz brought Respondent into his office, where they had a brief discussion about whether Umholtz was going to run for judge. As Umholtz was escorting Respondent through a hallway back to the reception area, Respondent turned to Umholtz and told him that Respondent has a client who believes they were victims of financial exploitation, and asked Umholtz if his office handles those cases. Umholtz said yes, and told Respondent that, if someone believes they are a victim of a crime, they should contact the police. (Tr. 24).

Umholtz testified that his interaction with Respondent about Respondent's client "really wasn't a conversation," and was "very short, maybe 20 seconds." (Tr. 25). He testified that Respondent did not mention the Barbees' names, and he did not learn about the Barbees' involvement in the matter until he was shown a copy of the letter that Respondent had sent to the Barbees sometime after his meeting with Respondent. Respondent did not mention the name of the alleged victim, and did not provide any details about the alleged criminal act. (Tr. 26). Umholtz testified that he did not tell Respondent that he was interested in prosecuting the matter. (Tr. 27).

Umholtz became aware of Respondent's April 4, 2022, letter to the Barbees from his chief assistant state's attorney, who showed him a copy of the letter. Umholtz knew Julie Barbee because she had worked for him before her retirement. At the time Umholtz became aware of the letter, no police report had been forwarded to the Tazewell County State's Attorney's Office regarding the Barbees' alleged criminal conduct. (Tr. 25, 28-29). Once he saw the Barbees' name on the letter and tied it to his earlier conversation with Respondent, he had his chief assistant check to see if

the office had received any police reports, because if it had, he would have appointed a special prosecutor to review the information. (Tr. 29).

When he saw the letter, Umholtz was concerned that it appeared that an attorney was trying to use the threat of criminal prosecution to gain an advantage in a civil case, which Umholtz knew was a violation of the Rules of Professional Conduct. He also was concerned that the letter appeared to be stating false information, in that it stated that Umholtz and Respondent had discussed the case and that Umholtz was interested in prosecuting it, "both of which are completely untrue." (Tr. 29-30). Umholtz testified that, in his view, Respondent's asking him if the office handled financial exploitation cases "is not discussing the case," and that he never told Respondent that he was interested in prosecuting the matter. (Tr. 30-31).

After Umholtz saw Respondent's letter to the Barbees, he again met with Respondent in his office. The point of the meeting was so that Umholtz could tell Respondent that his statements in the letter were not true. Umholtz testified that he expressed his concerns to Respondent, and Respondent explained how he thought his letter was accurate and truthful. (Tr. 32-33). Umholtz testified that Respondent was "totally dismissive of reality" and "felt very strongly that his letter was accurate," and therefore that the meeting was "very short, because [Umholtz] really felt like it wasn't going to be productive to have a discussion." (Tr. 34).

Testimony of Jeffery and Julie Barbee

Jeffery Barbee testified that, when he received Respondent's April 4, 2022, letter, he felt "disgusted" and "like [he] was being blackmailed." The settlement demand of $950,000 was a lot of money to him. (Tr. 39).

Julie Barbee testified that she worked as the clerk in the felony courtroom of the Tazewell County Circuit Court for 10 years and then as a legal assistant with the Tazewell County State's Attorney's Office for 13 years, until her retirement about four years prior to hearing. (Tr. 45-46).

She testified that, after receiving the April 4, 2022, letter from Respondent, she felt "alarmed" and "scared to death." (Tr. 48). She also felt hurt because she did not feel that she had done anything wrong, felt that she was a "great employee" for Umholtz, and thought that Umholtz would have reached out to her and suggested that they talk about the issue raised in the letter. (Tr. 48-49). She also felt concerned because, based on her experience with criminal proceedings, she knew that they would have to hire and pay an attorney to defend them and that going through a criminal case is very stressful. (Tr. 49-50).

Because of their concerns about Respondent's representation that he had spoken with Umholtz and that Umholtz was interested in prosecuting the matter, the Barbees consulted with two attorneys. They then brought Respondent's letter to the Tazewell County Courthouse and left it with the office manager to give to Umholtz and his chief assistant state's attorney. Neither Jeffery nor Julie responded to the letter or had any further contact with Respondent. (Tr. 41-43, 50-52).

Respondent's Sworn Statement

At his sworn statement, Respondent stated that his purpose in writing the April 4, 2022, letter "was to achieve reasonable settlement for my client so that we wouldn't have to try to report a new criminal activity, … [a]nd also to just resolve this entire incident for him." (Adm. Ex. 5 at 37). He acknowledged that he was threatening the Barbees that, if they did not settle with his client, then the client and other family members would report the matter to the appropriate law enforcement agency, and that his client also would be filing a civil suit against them to recover the allegedly misappropriated funds. (Id. at 43). He further acknowledged that the Barbees could have shut down the threat of having their alleged misconduct reported to the police if they had paid the settlement demand presented in the letter. (Id. at 53).

Explaining why he believes his April 4, 2022, letter does not violate Rule 8.4(g), Respondent stated:

> We do not threaten to criminally prosecute because we're not criminal prosecutors. And it is within my client's right to go to the police authorities to report a crime. It's also within his right under contracting to settle or contract away any legal right he has as an individual. So if they would like him to not report what was done and not pursue this criminally, then they can settle the case. I was not saying my client or I will file criminal prosecution. We obviously don't have that ability.

(Id. at 48). He stated that he and his client "were threatening criminal reporting" because they did not have the ability to threaten actual criminal prosecution. (Id. at 38).

B. Analysis and Conclusions

Rule 4.1(a)

In the course of representing a client, a lawyer shall not knowingly make a false statement of material fact or law to a third person. Ill. R. Prof'l Cond. 4.1(a). We find that the Administrator proved by clear and convincing evidence that Respondent violated Rule 4.1(a).

Stewart Umholtz testified in detail about his 20-second interaction with Respondent where Respondent asked him if his office prosecutes financial exploitation crimes. We found Umholtz to be forthright and credible, and accept his testimony about that short interaction, including that he learned no details about the purported crime or the alleged victim or perpetrators and did not tell Respondent that he would be interested in prosecuting the Barbees for their purported actions.

Accordingly, we find that Respondent's statement in his letter that he had spoken with Umholtz about "this claim" and that Umholtz was "interested in prosecuting" the Barbees was false, and that Respondent knew or should have known that his statement was false when he made it, because he did not convey details of the alleged crimes to Umholtz and did not inform Umholtz of the victim's name or that the Barbees were the alleged perpetrators of the alleged crimes, and

because Umholtz never indicated that he was "interested in prosecuting" a criminal case against the Barbees.

Rule 8.4(c)

It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit, or misrepresentation. Ill. R. Prof'l Cond. 8.4(c). Rule 8.4(c) "is broadly construed to include anything calculated to deceive, including the suppression of truth and the suggestion of falsity." Edmonds, 2014 IL 117696, ¶ 53 (citing In re Yamaguchi, 118 Ill. 2d 417, 426, 515 N.E.2d 1235 (1987)).

For the reasons described above relating to Rule 4.1(a), we find that the Administrator proved by clear and convincing evidence that Respondent's false statements in his letter to the Barbees also violated Rule 8.4(c).

Rule 8.4(g)

It is professional misconduct for a lawyer to present, participate in presenting, or threaten to present criminal or professional disciplinary charges to obtain an advantage in a civil matter. Ill. R. Prof'l Cond. 8.4(g). We find that the Administrator proved by clear and convincing evidence that Respondent violated Rule 8.4(g).

The evidence is uncontroverted that Respondent was representing his client, Jacob Goodbred, in a civil matter, and that he threatened to present criminal charges against the Barbees in order to induce them to settle the matter. The April 4, 2022, letter itself clearly and unequivocally states this threat. Respondent's statements in the letter that Goodbred would make a report to a law enforcement agency regarding the Barbees' alleged crimes and pursue criminal prosecution against the Barbees unless they settled Goodbred's claim constitute a threat to present criminal charges to obtain an advantage in a civil matter. Moreover, in his sworn statement, Respondent acknowledged that the purpose of his letter to the Barbees was to achieve settlement for his client, and that he

threatened legal action, including criminal reporting, if the Barbees were unwilling to settle the matter. Thus, Respondent's own words establish that he violated Rule 8.4(g) by threatening to present criminal charges against the Barbees in order to gain an advantage in a civil matter by achieving a settlement for his client.

EVIDENCE IN MITIGATION AND AGGRAVATION

Mitigation

Counsel for the Administrator stipulated on the record that Respondent has no prior discipline. (Tr. 61).

Aggravation

Respondent was licensed to practice law in November 2011 and therefore had practiced for over 10 years at the time of his misconduct in April 2022. (Adm. Ex. 5 at 21).

In late September 2022, a few weeks after the disciplinary complaint against him was filed, Respondent gave an interview in which he stated that the complaint was "blowing the matter out of proportion" and that "this isn't a DUI. This is a mile per hour over the speed limit … ." (Adm. Ex. 3 at 10). He further stated that he believes Julie Barbee's former association with the state's attorney's office is one reason why the disciplinary case was escalated to this level, and that there is also a political aspect to the case because Respondent, a Libertarian, was running against the current Tazewell County State's Attorney, a Republican, for that position in the November 2022 election. (Id. at 10-11).

Jeffery and Julie Barbee testified about the distress Respondent's actions caused them. Jeffery testified that he felt "disgusted" and like they were being "blackmailed." (Tr. 39). Julie was "alarmed" and "scared to death" after she saw the letter, and was concerned because, based on her experience with criminal proceedings, she knew that they would have to hire and pay an

attorney to defend them and that going through a criminal case is very stressful. (Tr. 48-50). Because of their concerns about the letter, the Barbees consulted with two lawyers about it. (Tr. 41-42, 50-51).

RECOMMENDATION

A. Summary

Based upon the serious nature of Respondent's misconduct, and taking into account the mitigating and aggravating factors, the Hearing Board recommends that Respondent be suspended for one year and until further order.

B. Analysis and Conclusions

In determining appropriate discipline, we are mindful that the purpose of these proceedings is not to punish the attorney but rather to safeguard the public, maintain the integrity of the profession, and protect the administration of justice from reproach. In re Edmonds, 2014 IL 117696, ¶ 90. We also consider the deterrent value of attorney discipline and "the need to impress upon others the significant repercussions of errors such as those committed by" Respondent. In re Discipio, 163 Ill. 2d 515, 528, 645 N.E.2d 906 (1994) (citing In re Imming, 131 Ill. 2d 239, 261, 545 N.E.2d 715 (1989)). Finally, we seek to recommend a sanction that is consistent with sanctions imposed in similar cases, In re Timpone, 157 Ill. 2d 178, 197, 623 N.E.2d 300 (1993), while also recognizing that each case is unique and must be decided on its own facts. Mulroe, 2011 IL 111378, ¶ 25.

In arriving at our recommendation, we consider those circumstances that may mitigate or aggravate the misconduct. In re Gorecki, 208 Ill. 2d 350, 802 N.E.2d 1194 (2003). In mitigation, Respondent has no prior discipline. In aggravation, Respondent was an experienced practitioner at the time of his misconduct and should have been sufficiently familiar with his ethical obligations

so as not to commit such a blatant violation of them. In addition, his misconduct harmed the Barbees by causing them distress and requiring them to consult with lawyers about his threat to initiate criminal proceedings against them.

Respondent also did not adequately or meaningfully participate in his disciplinary proceedings. He failed to file his Rule 253 report; failed to respond to the Administrator's request to produce documents; failed to properly respond to the Administrator's request to admit facts and genuineness of documents; failed to respond to the Administrator's motions regarding those discovery failures; shortly before hearing, filed a meritless motion to vacate the hearing panel chair's orders sanctioning him for his discovery violations; and, most significantly, failed to appear for his hearing.

Moreover, Respondent showed a lack of respect for the disciplinary process. He attempted to minimize the charges against him by claiming that the Administrator escalated the matter because of Julie Barbee's former employment with the state's attorney's office and that the complaint was politically motivated, and likening his actions to going "a mile per hour over the speed limit." (Adm. Ex. 3 at 10).

Finally, Respondent has shown no understanding of or acceptance of responsibility for his misconduct. Not only has he failed to acknowledge doing anything wrong, but he has demonstrated defiance at being charged. Moreover, he has shown no remorse for the distress his actions caused the Barbees. We believe his failure to appreciate or acknowledge the wrongfulness of his conduct poses a risk to the public that he will engage in similar misconduct in the future. See In re Samuels, 126 Ill. 2d 509, 531, 535 N.E.2d 808 (1989) (respondent's belief that he acted properly in the matters at issue in his disciplinary proceeding "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").

Based upon Respondent's serious misconduct, and taking into account the extensive aggravation and minimal mitigation present here, we agree with the Administrator that a suspension of one year and until further order is warranted in this matter. We are particularly concerned about Respondent's failure to appear for his disciplinary hearing, which deprived this panel of the ability to observe him and determine his fitness to practice law. Moreover, his failure to appear for his hearing was the culmination of his generally inadequate participation in the disciplinary process, throughout which he failed to respond to legitimate discovery requests and then filed a meritless motion on the eve of hearing asking the hearing panel chair to vacate the orders sanctioning him for his discovery violations.

We also are concerned about his utter lack of recognition that he has engaged in any wrongdoing. While respondents have an absolute right to defend themselves in disciplinary proceedings, including by taking the position that they did not engage in misconduct, Respondent goes too far by making a baseless argument that, because he and his client are not the prosecuting authorities, he did not threaten the Barbees with criminal prosecution but only threatened them with reporting their conduct to the appropriate law enforcement agency. Respondent's illogical analysis has no basis in law or fact and would render Rule 8.4(g) meaningless.

Based on these circumstances, we are not convinced that Respondent is able or willing to conform his conduct to the Rules of Professional Conduct at this time. Therefore, in order to protect the public and the integrity of the legal profession, we recommend that his one-year suspension continue until further order of the Court, so that he will be required to prove that he is able and willing to practice law ethically before he returns to practice.

We find that our recommended sanction is supported by precedent, including In re Mauro, 06 CH 18, M.R. 21548 (May 18, 2007), In re Montgomery, 2014PR00101, M.R. 27443 (Sept. 21, 2015), and In re Schaaf, 99 SH 64, M.R. 17387 (March 23, 2001).

In Mauro, the attorney agreed to represent a woman who claimed she was sexually assaulted by a public figure. The attorney sent a letter to the alleged assailant, stating that he would file a civil lawsuit and disseminate information about the alleged rape to the press unless the alleged assailant agreed to settle the matter. The attorney also stated that he had retained several experts when he had not done so. The attorney was suspended for one year and until further order of the Court, with the Hearing Board finding that the "until further order" condition was warranted because Respondent did not appear at his disciplinary hearing.

In Montgomery, the attorney represented two tenants who were defendants and counterclaimants in litigation with their landlord. After a bench trial that ended in judgments in favor of the landlord and against the tenants, the attorney filed post-trial motions on behalf of the tenants. On the same day that the judge denied all of her post-trial motions, the attorney sent a request for investigation of her opposing counsel in the landlord/tenant litigation to the ARDC. The attorney asked the Administrator to retain a handwriting expert to prove that her opposing counsel forged signatures on a lease and to assist the attorney in obtaining a transcript of the trial proceedings. She took these actions to obtain an advantage in the civil suit through discovery and financial assistance, as well as to harass and needlessly burden her opposing counsel. The Hearing Board found that the attorney violated Rule 8.4(g) in addition to committing other misconduct. The attorney did not answer the complaint or appear at her hearing, which led the Hearing Board to recommend, and the Court to impose, a suspension of eight months and until further order of the Court.

In Schaaf, the attorney sent a letter to a former client demanding payment of outstanding legal fees. At the time the letter was sent, the attorney was an assistant state's attorney. The letter stated that the attorney had filed a criminal complaint, that he would be prosecuting the matter, and that a warrant had been issued against the client. All of these statements were false. Mitigation included no prior misconduct, no dishonest motive, and positive character evidence. In aggravation, the attorney failed to understand the gravity of his misconduct. The Court ordered a twelve-month suspension stayed after five months by probation conditioned upon the attorney successfully completing a professional responsibility course during his suspension.

Respondent's conduct is analogous to that of the attorneys in Mauro and Schaaf, both of which involved the threat of criminal prosecution in order to induce settlement and use of false statements to buttress the threat. Similarly, the attorney in Montgomery used the disciplinary process against her adversary in order to gain an advantage in civil litigation. Moreover, as in this matter, the attorneys in Mauro and Montgomery failed to appear at their disciplinary hearings, and consequently were suspended until further order of the Court.

Having considered the applicable precedent, the nature of the misconduct, and the substantial aggravation and minimal mitigation, we recommend that Respondent be suspended for one year and until further order of the Court. We find that such a sanction is necessary in order to protect the public, maintain the integrity of the legal profession, and protect the administration of justice from reproach. Timpone, 157 Ill. 2d at 197.

Respectfully submitted,

John L. Gilbert
Laura K. Beasley
Elizabeth Delheimer

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 Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on August 31, 2023.

/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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