

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

ROBERT SAMUEL SPADONI,

Attorney-Respondent,

No. 6201967.

Supreme Court No. M.R.

Commission No. 2024PR00032

MOTION PURSUANT TO SUPREME COURT RULE 762(a)

The undersigned, Robert Samuel Spadoni, respectfully represents to the Court that:

1. On November 9, 1989, Movant was licensed by the Court to practice law in the State of Illinois.

2. Movant desires to have his name stricken from the Roll of Attorneys licensed to practice law in Illinois pursuant to Illinois Supreme Court Rule 762(a).

WHEREFORE, the undersigned requests that his name be stricken from the Roll of Attorneys licensed to practice law in Illinois.


Robert Samuel Spadoni

DATE: 6/13/24

E-FILED
6/13/2024 2:52 PM
CYNTHIA A. GRANT
SUPREME COURT CLERK

FILED

June 13, 2024

ARDC CLERK

FILED

June 13, 2024

IN THE SUPREME COURT OF ILLINOIS

ARDC CLERK

In the Matter of:

ROBERT SAMUEL SPADONI,

Movant,

No. 6201967.

Supreme Court No. M.R.

Commission No. 2024PR00032

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

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Richard Gleason, pursuant to Supreme Court Rule 762(a), states that on the date Movant, Robert Samuel Spadoni (hereinafter "Movant"), filed a motion requesting that his name be stricken from the Roll of Attorneys licensed to practice law in Illinois, the Administrator was investigating the conduct that formed the basis for Movant's conviction in the United States District Court for the Northern District of Illinois, Eastern Division, for the crime of mail fraud in the matter of *United States of America v. Robert Spadoni*, case number 1:23-CR-00099. Had Movant's conduct been the subject of a hearing, the evidence described below would clearly and convincingly establish the following facts and conclusions of misconduct:

I. FACTUAL BACKGROUND

Movant's admissions, records from various courts, including the May 6, 2024 judgment of conviction entered in case number 1:23-CR-00099, and the testimony of other witnesses would have established the following facts:

1. Movant was licensed to practice law in Illinois on November 9, 1989. Movant registered as active for 2024 and listed an address in Darien, Illinois. On February 13, 2023, a grand jury sitting in the Northern District of Illinois, Eastern Division, issued an indictment which charged Movant with three counts of mail fraud in violation of Title 18, United States Code,

E-FILED
6/13/2024 2:52 PM
CYNTHIA A. GRANT
SUPREME COURT CLERK

Section 1341, and three counts of engaging in a monetary transaction in and affecting commerce in criminally derived property of a value greater than \$10,000, in violation of Title 18, United States Code, Section 1957. The criminal case was assigned to the Hon. Matthew F. Kennelly.

2. The indictment alleged that from December 2013 until July of 2021, during which time Movant was an attorney and executive employed at Hospital A, Movant executed a scheme to defraud Hospital A of \$622,500. To execute the scheme, Movant created an entity called Medical Education Solutions, Inc., which billed Hospital A on a monthly basis for purported administrative support and compliance services. During the scheme's operation, Movant used his authority as vice president of Hospital A to approve or caused to be approved the payment of Medical Education Solutions, Inc. invoices submitted to Hospital A.

3. On or about January 17, 2014, Movant caused a bank account to be opened at First Midwest Bank, under the Medical Education Solutions, Inc. name, with an account number ending in 2007. In furtherance of the scheme, Movant deposited or caused to be deposited into the account checks Medical Education Solutions, Inc. received from Hospital A. Movant used the checks' proceeds for his own personal benefit and the personal benefit of others, including to pay for bills at restaurants and hotel stays. Movant also transferred or caused to be transferred at least \$24,500, obtained from Hospital A's payment of the Medical Education Solutions, Inc. invoices into a Raymond James & Associates 401(k) account ending in W553.

4. Movant furthered and concealed the scheme by providing an employee of Hospital A's risk management department with a \$1,500 monthly cash payment in order to perform administrative support and compliance services, knowing that Hospital A already paid Medical Education Solutions, Inc. \$6,500 a month to provide those services through the invoices described in paragraph two, above.

5. As part of his employment with Hospital A, Movant was required to comply with Hospital System A's conflict of interest policy, which prohibited, among other things, Movant and his family members from having a financial interest in an organization doing or seeking to do business with Hospital A, its subsidiaries, and its affiliates, including Hospital A, unless such financial interest was disclosed to both Movant's supervisor and Hospital A's Board and General Counsel, and approved by both Movant's supervisor and Hospital A's Audit Committee. Movant was required to submit an annual online conflict of interest disclosure as part of Hospital A's conflict of interest policy. In order to conceal the scheme for a six-year period, Movant falsely answered "No" to a question asking whether Movant or a member of Movant's family had a financial interest in an organization doing or seeking to do business with Hospital A, its subsidiaries, or its affiliates, knowing that he was receiving \$6,500 per month from Hospital A through the purported services Medical Education Solutions, Inc. was providing to Hospital A between 2014 and 2020.

6. Count One of the indictment alleged that on November 25, 2019, for the purposes of executing the above-described scheme, Movant caused to be delivered by U.S. Mail an envelope addressed to Medical Education Solutions, Inc. which contained a check from Hospital A to Medical Education Solutions, Inc. for \$6,500, in violation of Title 18, United States Code, Section 1341.

7. Count Two of the indictment alleged that on November 2, 2020, for the purposes of executing the above-described scheme, Movant knowingly caused to be delivered by the U.S. Mail an envelope addressed to Medical Education Solutions, Inc. which contained a check from Hospital A to Medical Education Solutions, Inc. for \$6,500, in violation of Title 18, United States Code, Section 1341.

8. Count Three of the indictment alleged that on March 1, 2021, for the purposes of executing the above-described scheme, Movant knowingly caused to be delivered by the U.S. Mail an envelope addressed to Medical Education Solutions, Inc. which contained a check from Hospital A to Medical Education Solutions, Inc. for \$6,500, in violation of Title 18, United States Code, Section 1341.

9. Count Four of the indictment alleged that on January 3, 2019, Movant engaged in a monetary transaction in and affecting commerce in criminally derived property of a value of greater than \$10,000 through the issuance of a check drawn from the account ending in 2007 at First Midwest Bank to the Raymond James & Associates account ending in 8767 in the name of Medical Education Solutions, Inc. in the amount of \$24,500, which had been derived from mail fraud, in violation of Title 18, United States Code, Section 1957.

10. Count Five of the indictment alleged that on November 19, 2020, Movant engaged in a monetary transaction in and affecting commerce in criminally derived property of a value of greater than \$10,000 through the issuance of a check drawn from the account ending in 2007 at First Midwest Bank to the Raymond James & Associates account ending in W553 in the name Medical Education Solutions, Inc. in the amount of \$26,000, which had been derived from mail fraud, in violation of Title 18, United States Code, Section 1957.

11. Count Six of the indictment alleged that on January 20, 2022, Movant engaged in a monetary transaction in and affecting commerce in criminally derived property of a value of greater than \$10,000 through the issuance of a check drawn from the account ending in 2007 at First Midwest Bank to the Raymond James & Associates account ending in W553 in the name Medical Education Solutions, Inc. in the amount of \$22,500, which had been derived from mail fraud, in violation of Title 18, United States Code, Section 1957.

12. On January 22, 2024, Movant and the acting United States Attorney for the Northern District of Illinois entered into a written plea agreement in case no. 1:23-CR-00099, in which Movant agreed to voluntarily plead guilty to Count Two of the indictment, which charged Movant with having committed mail fraud in violation of Title 18, United States Code, Section 1341. As part of the plea agreement, Movant admitted that he committed each element of the offense of mail fraud. On May 6, 2024, Judge Kennelly entered a judgment of conviction against Movant on Count Two of the indictment and, upon motion of the United States, dismissed the remaining counts in the indictment. As part of the judgment of conviction, Judge Kennelly sentenced Movant to 18 months in prison and ordered him to pay restitution to Hospital A in the amount of \$622,600.

II. CONCLUSIONS OF MISCONDUCT

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

- a. committing a criminal act that reflect adversely on his honesty, trustworthiness, or fitness as a lawyer in other respects, by committing the criminal offense of mail fraud in violation of Title 18, United States Code, Section 1341, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and

- b. conduct involving dishonesty, fraud, deceit, or misrepresentation, including by executing a scheme between 2014 and 2021 to defraud Hospital A of more than \$622,000 of its funds by issuing fraudulent invoices to Hospital A from Medical Education Solutions, Inc., in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Richard Gleason
Richard Gleason

Richard Gleason
Counsel for the Administrator
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601-6219
Telephone: (312) 565-2600
Email: rgleason@iadc.org

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

ROBERT SAMUEL SPADONI,

Attorney-Movant,

No. 6201967.

Supreme Court No. M.R.

Commission No. 2024PR00032

AFFIDAVIT

Robert Samuel Spadoni, being first duly sworn, on oath states that:

1. Affiant has signed a motion to strike his name from the Roll of Attorneys admitted to practice law in Illinois, pursuant to Rule 762(a).
2. Affiant has received from the Administrator of the Attorney Registration and Disciplinary Commission a copy of the Statement of Charges pending against him.
3. Affiant stipulates that if the charges set forth in the Statement of Charges proceeded to hearing, the judgment of conviction would be offered into evidence and would constitute conclusive evidence of his guilt of the crime for purposes of disciplinary proceedings.
4. Affiant's motion to strike his name from the Roll of Attorneys admitted to practice in Illinois is freely and voluntarily made.
5. Affiant understands the nature and consequences of said motion.

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 aforesaid that he verily believes the same to be true.

6/12/2024
Date

Robert Samuel Spadoni
Robert Samuel Spadoni

FILED

June 13, 2024

ARDC CLERK

E-FILED
6/13/2024 2:52 PM
CYNTHIA A. GRANT
SUPREME COURT CLERK

IN THE SUPREME COURT OF ILLINOIS

In the Matter of:

ROBERT SAMUEL SPADONI,

Movant,

No. 6201967.

Supreme Court No. M.R.

Commission No. 2024PR00032

NOTICE OF FILING

TO: Thomas Breen
Breen & Pugh
53 W. Jackson Blvd., Suite 1550
Chicago, IL 60604
Email: tbreen@breenpughlaw.com

PLEASE TAKE NOTICE that on June 13, 2024, 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, copies were served on Movant, by e-mail to his counsel at tbreen@breenpughlaw.com, at or before 5:00 p.m.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Richard Gleason
Richard Gleason

Richard Gleason
Counsel for the Administrator
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601-6219
Telephone: (312) 565-2600
MAINLIB_#1755824_v1

MAINLIB-#1742152-v1

E-FILED
6/13/2024 2:52 PM
CYNTHIA A. GRANT
SUPREME COURT CLERK

FILED

June 13, 2024

ARDC CLERK

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 listed on the forgoing Notice of Filing, by e-mail at tbreen@breenpughlaw.com, on June 13, 2024, at or before 5:00 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/ Richard Gleason

Richard Gleason

E-FILED
6/13/2024 2:52 PM
CYNTHIA A. GRANT
SUPREME COURT CLERK

FILED

June 13, 2024

ARDC CLERK