2024PR00076

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

In the Matter of:

BRANDON JOHN ZANOTTI,

Commission No. 2024PR00076

Attorney-Respondent,

No. 6298030.

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission

("Commission"), by her attorney, Rachel C. Miller, pursuant to Supreme Court Rule 753(b) and

761(c), complains of Respondent, Brandon John Zanotti ("Respondent"), who was licensed to

practice law in Illinois on November 6, 2008, and alleges that Respondent has engaged in the

following conduct which subjects him to discipline pursuant to Supreme Court Rule 753(b):

COUNT I (Conviction on One Count of False Entry in Bank Records in Violation of 18 U.S.C. §2 and §1005)

 Between November 2016 and July 2022, Respondent served as Williamson County State's Attorney.

2. In 2017, Respondent became a partner in Results Home Buyers 2, LLC ("Results"), a real estate holding company located in Williamson County.

3. Between 2017 and 2021, Results purchased seven commercial real estate properties.

4. Prior to March 26, 2022, Respondent agreed to sell the commercial properties to Lawler and Maze Properties, LLC ("Lawler and Maze"). David Lawler ("Mr. Lawler"), an Illinois-

FILED 12/12/2024 9:54 AM ARDC Clerk licensed attorney, and Justin Maze ("Mr. Maze"), the Williamson County Circuit Clerk, were equal partners in Lawler and Maze.

5. Prior to March 26, 2022, Respondent, Mr. Lawler, and Mr. Maze agreed to finance the purchase of the commercial properties through SouthernTrust Bank ("SouthernTrust"), a community bank with locations in Marion, Vienna, and Goreville. Respondent, Mr. Lawler, and Mr. Maze worked with Steven Cook ("Mr. Cook"), president of SouthernTrust, to finance the loan.

6. Prior to March 26, 2022, Respondent, Mr. Lawler, Mr. Maze, and Mr. Cook agreed to complete documents stating that Results would sell Lawler and Maze seven properties for a purchase price of \$545,152 and a cash down payment of \$109,030.

7. Respondent, Mr. Lawler, Mr. Maze, and Mr. Cook agreed that, despite agreeing to complete documents stating the purchase terms as described in paragraph six, above, the actual purchase price would be \$436,122 and no down payment would be paid.

8. Between March 26, 2022, and August 12, 2022, Respondent assisted Mr. Cook, Mr. Lawler, and Mr. Maze in completing loan documents for SouthernTrust accounts, ledgers, or records that provided stated the purchase agreement was \$545,152 for the seven properties, including a cash down payment of \$109,030.

9. Respondent knew at the time he assisted in creating entries for SouthernTrust accounts, ledgers, or records stating the terms described in paragraph six, above, that the entries were false, because he knew that the actual purchase price for the properties was \$436,030 and did not include a cash down payment.

10. On March 21, 2024, Respondent waived an indictment, was charged, and pled guilty to one count of false entry in a bank record in the United States District Court, Southern District of Illinois, in a matter docketed as *United States of America v. Brandon Zanotti*, Case

2

Number 24-40008. Count I charged Respondent with one count of false entry in a bank record, in

violation of Title 18, United States Code, Sections 2 and 1005.

11. On May 15, 2024, Respondent was sentenced to two years of probation, a \$5,000

fine, and \$100 in court costs.

12. By reason of the conduct described above, Respondent has engaged in the following

misconduct:

- a. violating the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another, by conduct including assisting Lawler in obtaining a commercial real estate loan from SouthernTrust when the loan was based on false loan documents, in violation of Rule 8.4(a) of the Rules of Professional Conduct (2010);
- committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects, by conduct including violating Sections 2 and 1005 of Title 18 of the United States Code, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010); and
- c. engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, by conduct including knowingly making the false statement described in paragraph six, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a

panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact,

conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator Attorney Registration and Disciplinary Commission

By: /s/ Rachel C. Miller Rachel C. Miller Rachel C. Miller Counsel for Administrator 3161 West White Oaks Drive, Suite 301 Springfield, Illinois 62704 Telephone: (217) 546-3523 Email: <u>RMiller@iardc.org</u> Email: <u>ARDCeService@iardc.org</u> 4882-9248-5840, v. 1