2023PR00059

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

In the Matter of:

KEVIN PATRICK CONRAD,

Commission No. 2023PR00059

Attorney-Respondent,

No. 6304677.

NOTICE OF FILING

TO: Kevin Patrick Conrad Attorney-Respondent <u>conrad_kevin@icloud.com</u>

PLEASE TAKE NOTICE that on January 30, 2025, an electronic copy of the Administrator's FIRST AMENDED COMPLAINT TO COMMISSION RULES 753(b) and 761, was submitted to the Clerk of the Attorney Registration and Disciplinary Commission in Chicago, Illinois for filing. On that same date, a copy was served on Attorney-Respondent via e-mail at <u>conrad kevin@icloud.com</u> on or before 4:00 p.m.

Respectfully submitted,

Lea S. Gutierrez, Administrator Attorney Registration and Disciplinary Commission

/s/ Evette L. Ocasio

Evette L. Ocasio

Evette L. Ocasio Counsel for Administrator One Prudential Plaza 130 East Randolph Drive, Suite 1500 Chicago, Illinois 60601 Telephone: (312) 565-2600 Email: <u>eocasio@iardc.org</u> Email: <u>ARDCeService@iardc.org</u>

FILED 1/30/2025 11:47 AM 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 a copy of the Notice of Filing and Administrator's FIRST AMENDED COMPLAINT TO COMMISSION RULES 753(b) and 761 on Attorney-Respondent via email at <u>conrad kevin@icloud.com</u> on January 30, 2025, 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 she verily believes the same to be true.

By: <u>/s/ Evette L. Ocasio</u> Evette L. Ocasio

4915-5857-3332, v. 1

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

FILED 1/30/2025 11:47 AM ARDC Clerk

In the Matter of:

KEVIN PATRICK CONRAD,

Commission No. 2023PR00059

Attorney-Respondent,

No. 6304677.

FIRST AMENDED COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Evette L. Ocasio, pursuant to Supreme Court Rules 753(b) and 761, complains of Respondent, Kevin Patrick Conrad, who was licensed to practice law in Illinois on May 5, 2011, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I (Criminal Conduct of Battery to K.O.)

1. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-3 ("Battery"), that made it a crime for a person to knowingly without legal justification make physical contact of an insulting or provoking nature with an individual.

2. On December 26, 2021, Respondent went to the house of his then-girlfriend's exboyfriend, K.O., in Addison, Illinois. When Respondent arrived at K.O.'s home, he was wearing a suit and tie, a black winter hat, gloves, and a N-95 mask over his face. Respondent walked up to the front door and pulled a screwdriver from his coat pocket. Respondent then attempted to open the front door by using the door handle. When the door did not open, Respondent forcefully kicked the front door three times. When there was no answer, Respondent put the screwdriver back inside his pocket, and knocked on the front door. When K.O. came to the entrance of his home, he yelled through the closed door, "Who are you?" Respondent told K.O., "Let me in." K.O. asked Respondent two more times to identify himself, but Respondent continued to tell K.O. to let him inside. As K.O. opened the front door, Respondent stepped onto the ledge of the doorway, between the storm door and the front door, in an attempt to force himself inside K.O.'s home. K.O. told Respondent, "This is not your home man. Get out of here!," while pushing Respondent out of his doorway and off the step. Respondent then attempted to walk back to the front door and K.O. stopped him again, before going inside and closing the door.

3. At approximately 7:30 a.m. on December 26, 2021, officers from the Addison Police Department responded to the scene. While at the scene, officers viewed footage from K.O.'s Ring doorbell camera, which caught the altercation described in paragraph 4, above, on video. K.O. informed Addison police that he wanted Respondent removed from his property, and Respondent was arrested.

4. On December 26, 2021, K.O. received several calls from a number that showed up on his phone as "No Caller ID." When K.O. answered one of the calls, Respondent stated it was, "the person from this morning." K.O.'s roommate began recording K.O. as he spoke on the phone to Respondent. During the conversation, Respondent repeatedly threatened K.O. and made statements including, but not limited to: "You're in danger," "I will ruin your life," and "If you ever find out my name, it's gonna be really bad for you." K.O. reported Respondent's calls to the Addison Police Department on that date.

5. On March 4, 2022, Respondent was charged in the Circuit Court of the 18th Judicial Circuit, DuPage County, with the offenses of battery in violation of 720 ILCS 5/12-3(a)(2), criminal trespass to land in violation of 720 ILCS 5/21-3(a)(3), and disorderly conduct in violation

of 720 ILCS 5/26-1(a)(1). The matter was docketed as *People of the State of Illinois v. Kevin P. Conrad*, case number 2022 CM 000287.

6. On July 10, 2024, Respondent pled guilty to the offense of battery in violation of 720 ILCS 5/12-3(a)(2), and the remaining charges were dismissed by *nolle prosequi*. Respondent was sentenced two years of probation, among other conditions.

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

a. committing a criminal act that reflects adversely on his fitness to practice law, by virtue of his violation of section 720 ILCS 5/12-3(a)(2), of the Illinois Criminal Code, by making physical contact of an insulting or provoking nature with K.O. without legal justification, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(Criminal Conduct of Assault, Battery, and Intimidation to M.N.)

8. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-1 ("Assault"), that made it a crime for an individual to engage in conduct which places another in reasonable apprehension of receiving a battery.

9. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-3 ("Battery"), that made it a crime for a person to knowingly without legal justification make physical contact of an insulting or provoking nature with an individual.

10. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-6 ("Intimidation"), that made it a crime for a person to communicate to another a threat to inflict physical harm on that person with the intent to cause that person to perform or to omit the performance of an act.

11. On January 4, 2022, at approximately 12:00 a.m., Respondent woke his thengirlfriend, M.N., from sleeping. From that time into the early morning, Respondent continuously made threats to kill M.N. and himself. During this time period, M.N. observed that Respondent had multiple bottles of prescription medications and Respondent told M.N. that he planned to take an entire bottle of Vicodin to kill himself.

12. At approximately 3:00 a.m. on January 4, 2022, M.N. attempted to escape from Respondent's apartment, but Respondent stopped M.N. before she reached the front door and made her sit on the couch. Respondent then grabbed a knife and attempted to cut his wrist. M.N. made a second attempt to escape and ran out of the apartment, screaming for help. Respondent chased M.N. into the hallway, tackled her, and brought her back into his apartment. Shortly thereafter, M.N. was able to retrieve her cell phone to call 911 and fled the apartment again. At that time, a security guard from Respondent's apartment building met M.N. in the hallway, while investigating reports from the building's other tenants that screaming and banging was heard coming from the floor Respondent lived on. Shortly thereafter, officers with the Chicago Police Department arrived, but Respondent stated that he did not feel like hurting himself and officers left the scene.

13. On the morning of January 4, 2022, Respondent repeatedly called M.N. after she left his apartment. When M.N. answered one of the calls, she heard Respondent crying and making drowning noises. Respondent told M.N. that he was stuck in the bathtub and needed help getting out. Because Respondent had threatened to kill himself by drowning, M.N. returned to the apartment building. When M.N. entered the apartment, Respondent was laying on the floor of his bathroom. M.N. asked Respondent to go to the emergency room, but he refused. Respondent then stood up, cornered M.N., and threatened to kill her and himself if she left his apartment again. When threatened, M.N. called the building security for help. Respondent allowed M.N. to leave

the apartment, but continued to tell her "I'm going to kill you," and "I'm going to ruin your life," as she left.

14. On January 5, 2022, M.N. filed a police report regarding the events occurring on January 4, 2022, as described in paragraphs 13-15, above.

15. On January 6, 2022, M.N. filed an emergency order of protection against Respondent in the Circuit Court of Cook County. In the petition, M.N. detailed the events occurring on January 4, 2022, as described in paragraphs 13-15, above. The clerk of the court docketed the matter as case number 22 OP 70108.

16. On January 6, 2022, the Court entered an emergency order of protection in case number 22 OP 70108 in effect until January 27, 2024, prohibiting Respondent from physically abusing, harassing, interfering with the personal liberty of, stalking, or contacting M.N. by any means. Shortly thereafter, Respondent was personally served with a copy of the order of protection.

17. On January 7, 2022, M.N. retained the Women's Divorce and Family Law Group to represent her in case number 22 OP 70108.

18. On January 27, 2022, Honorable Judge Sabra Ebersole entered a plenary order of protection against Respondent in case number 22 OP 70108, prohibiting Respondent from physically abusing, harassing, interfering with the personal liberty of, stalking, or contacting M.N. by any means. In addition, Judge Ebersole advised that the Commission should be notified of the proceeding.

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

 a. committing criminal acts that reflect adversely on his fitness to practice law, by virtue of his violations of sections 720 ILCS 5/12-1, 720 ILCS 5/12-3, 720 ILCS 5/12-6 of the Illinois Criminal Code, by engaging in conduct which placed

M.N. in reasonable apprehension of receiving a battery, making physical contact of an insulting or provoking nature with M.N. without legal justification, and by threatening to inflict physical harm on M.N. with the intent to cause M.N. to stay with Respondent, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

COUNT III

(Failure to Cooperate with a Disciplinary Investigation)

20. On July 11, 2022, the Administrator received a charge regarding Respondent's conduct as alleged in case number 22 OP 70108, as set forth in Count II, above, from the Women's Divorce and Family Law Group. After reviewing the communication, the Administrator docketed investigation number 2022IN02265 into Respondent's alleged conduct.

21. On July 14, 2022, counsel for the Administrator sent a letter to Respondent's registered email address, requesting a response to the allegations regarding Respondent's conduct as alleged in case number 22 OP 70108. Respondent's registered email address was an email address associated with the law firm where Respondent was most recently employed. On the same day, counsel for the Administrator received a response from the managing attorney of that law firm, informing counsel that Respondent no longer worked for the law firm.

22. On July 15, 2022, the Administrator mailed Respondent a letter to Respondent's registered home address. The letter requested that Respondent provide a written response within fourteen days setting forth the material facts related to the matters raised in the charge. Counsel for the Administrator received no written response from Respondent.

23. On August 17, 2022, the Administrator mailed Respondent a second letter to Respondent's registered home address, requesting a written response within seven days setting forth the material facts related to the matters raised in the charge. Counsel for the Administrator received no written response from Respondent.

24. On December 20, 2022, counsel for the Administrator issued a subpoena that required Respondent to provide documentation relating to case number 22 OP 70108, and to appear for a sworn statement on January 20, 2023.

25. On January 10, 2023, a special process server personally served Respondent at his home address with the subpoena.

26. On January 18, 2023, Respondent emailed counsel for the Administrator. In his message, Respondent indicated that he was experiencing serious health challenges which left him unable to participate in the January 20, 2023, sworn statement, and requested an extension of time. On the same day, counsel for the Administrator replied to Respondent's email and requested a call with Respondent to discuss this matter.

27. On January 19, 2023, Respondent emailed counsel for the Administrator. In his message, Respondent indicated that he had a doctor's appointment on January 20, 2023, and he "would be happy to provide medical records to support" his health challenges. In addition, Respondent stated that until his health was stabilized, he would not be in a position to have a conversation about investigation number 2022IN02265. On the same day, counsel for the Administrator replied to Respondent's email and agreed to continue the sworn statement, but requested that Respondent provide documentation from his doctor indicating why he could not proceed with a sworn statement on January 20, 2023, and provide alternative dates for a rescheduled sworn statement.

28. On January 25, 2023, counsel for the Administrator emailed Respondent, after having received no further communications from him. In the message, counsel for the Administrator again requested documentation from Respondent's doctor, alternative dates for a rescheduled sworn statement, and a phone call to discuss the matter.

29. On March 7, 2023, attorney Stephanie Sebor ("Sebor") emailed counsel for the Administrator and confirmed that she would be representing Respondent in investigation number 2022IN02265. On the same day, Sebor informed counsel for the Administrator that she would provide a written response on behalf of Respondent. Counsel for the Administrator agreed to accept a written response, but informed Sebor that Respondent would still need to present for a sworn statement at a later date.

30. On March 9, 2023, counsel for the Administrator emailed a letter to Sebor, requesting additional information from Respondent. The letter requested that Respondent provide a written response setting forth the material facts related to the matters raised in the charge, and the material facts, information, and documents pertaining to case number 2022 CM 000287. In addition, the letter requested that Respondent provide documentation from Respondent's doctor related to his unavailability for a sworn statement on January 20, 2023, and alternative dates for a rescheduled sworn statement.

31. On March 20, 2023, Sebor emailed to counsel for the Administrator a written response and some documentation related to case number 2022 CM 000287.

32. On March 27, 2023, counsel for the Administrator emailed a letter to Sebor, indicating that the response sent on March 20, 2023, did not address all the items requested in the Administrator's March 9, 2023, letter. The letter requested that Respondent provide a written response setting forth the material facts related to the matters raised in the charge and medical documentation within fourteen days. In addition, counsel for the Administrator rescheduled Respondent's sworn statement for April 13, 2023, at 10:00 a.m.

33. On April 11, 2023, after not receiving any additional documentation, counsel for the Administrator emailed Sebor. In the message, counsel for the Administrator requested a confirmation that Respondent would appear for the sworn statement on April 13, 2023.

34. On April 12, 2023, following a telephone conversation with Sebor, counsel for the Administrator agreed to reschedule the sworn statement for 2:00 p.m. on April 19, 2023, at the Commission's Chicago office.

35. On April 14, 2023, Sebor emailed counsel for the Administrator and stated: "Per Kevin I am no longer authorized to engage with you in this matter. He will be contacting you separately."

36. On April 17, 2023, counsel for the Administrator emailed Respondent to confirm that he would appear for the April 19, 2023, sworn statement. Counsel for the Administrator received no response from Respondent.

37. As of August 24, 2023, the date the members of Panel G of the Inquiry Board authorized the Administrator to file this complaint before the Hearing Board, Respondent had not submitted a written response setting forth the material facts related to the matters raised in the charge or provided the subpoenaed documents relating to 22 OP 70108, nor did he appear or produce documents on April 19, 2023. Respondent's appearance has never been waivered or excused.

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

a. failing to respond to a lawful demand for information from a disciplinary authority, by conduct including, failing to respond to the Administrator's request for a written response related to 22 OP 70108; failing to respond to the Administrator's request for medical documentation related to Respondent's health issues and unavailability for a sworn

statement on January 20, 2023; as well as failing to provide documents and appear for a sworn statement on April 19, 2023, pursuant to the Administrator's subpoena, in violation of Rule 8.1(b) of the Illinois Rules of Professional Conduct (2010).

COUNT IV (Criminal Conduct of Battery to D.S.)

39. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-3 ("Battery"), that made it a crime for a person to knowingly without legal justification make physical contact of an insulting or provoking nature with an individual.

40. On the morning of June 29, 2023, Respondent was arguing with his wife, S.C., at their home, in the presence of D.S., their nanny. D.S. called emergency services as a result of the incident. The Wilmette Police Department responded to the scene and spoke with Respondent, S.C., and D.S., but left without making an arrest.

41. On June 29, 2023, after the Wilmette police officers had left the scene, Respondent confronted D.S. about calling the police. Shortly thereafter, D.S. comforted S.C. and spoke to her about the incident. While D.S. was holding S.C.'s hands and talking to her, Respondent approached them. Respondent then grabbed D.S.'s wrist forcefully and tried to pull D.S. away from S.C., while telling D.S. to let go of his wife. At that time, D.S. told Respondent to take his hands off her and that she was going to call the police.

42. On June 30, 2023, Respondent was charged in the Circuit Court of Cook County with the offense of battery in violation of 720 ILCS 5/21-3(a)(2). The matter was docketed as *People of the State of Illinois v. Kevin P. Conrad*, case number 23MC2001118.

43. On February 16, 2024, Respondent pled guilty to battery in case number 23MC2001118. Respondent was sentenced to 81 days with credit for 81 days served.

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

a. committing a criminal act that reflects adversely on his fitness to practice law, by virtue of his violation of section 720 ILCS 5/12-3 of the Illinois Criminal Code, by engaging in conduct which made physical contact of an insulting manner toward D.S. by pulling on her arm forcefully without her permission, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

COUNT V (Criminal Conduct of Domestic Battery to S.C.)

45. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-3.2 ("Domestic Battery"), that made it a crime for a person to, knowingly without legal justification, cause bodily harm or make physical contact of an insulting or provoking nature with any family or household member.

46. On October 23, 2023, a neighbor witnessed S.C. run out of her home while screaming and attempt to unlock the gate on the property. The neighbor then witnessed Respondent yell, run after and bear hug S.C., before the neighbor shouted at Respondent to stop. Respondent released S.C. and she ran to the neighbor's home. At that time, S.C. informed the neighbor that she left her home because Respondent was throwing glass everywhere. The neighbor also observed S.C.'s right eye was bruised.

47. On October 26, 2023, Respondent was charged in the Circuit Court of Cook County with one count of the offense of domestic battery in violation of 720 ILCS 5/21-3.2(a)(1), and one count of domestic battery in violation of 720 ILCS 5/21-3.2(a)(2). The matter was docketed as *People of the State of Illinois v. Kevin P. Conrad*, case number 23DV20454.

48. On February 14, 2024, count one was dismissed by *nolle prosequi*, and Respondent pled guilty to domestic battery in violation of 720 ILCS 5/21-3.2(a)(2). Respondent was sentenced to 113 days with credit for 113 days served.

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

a. committing a criminal act that reflects adversely on his fitness to practice law, by virtue of his violation of section 720 ILCS 5/12-3.2 of the Illinois Criminal Code, by engaging in conduct which made physical contact of an insulting manner toward a household member, by bear hugging S.C. to keep her from leaving the residence after receiving a battery, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

COUNT VI (Criminal Conduct of Retail Theft)

50. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/16-25 ("Retail Theft"), that made it a crime for a person to knowingly take possession of, carry away, transfer or cause to be carried away or transferred any merchandise displayed, held, stored or offered for sale in a retail mercantile establishment with the intention of retaining such merchandise without paying the full retail value of such merchandise.

51. On February 28, 2024, loss prevention staff at Nordstrom on 55 East Grand Avenue in Chicago, observed Respondent enter the men's coat section and put on a British Blue Herringbone carcoat ("the coat") valued at \$1,046.50. Respondent then proceeded to another section of the store and attempted to purchase luggage. When Respondent was unable to purchase the luggage, he exited the store on east Grand Avenue, while still wearing the coat.

52. On May 21, 2024, the Cook County State's Attorney caused to be filed an information charging Respondent with retail theft, in violation of 720 ILCS 5/16-25(a)(1). The matter was docketed as *People of the State of Illinois v. Kevin Conrad*, case number 24CR0500501.

53. On September 13, 2024, Respondent pled guilty to retail theft, in violation of 720

ILCS 5/16-25(a)(1). Respondent was sentenced to 18 months mental health probation.

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

a. committing a criminal act that reflects adversely on his fitness to practice law, by virtue of his violation of section 720 ILCS 5/16-25(a)(1) of the Illinois Criminal Code, by knowingly taking possession of clothing merchandise at Nordstrom with the intention of depriving Nordstrom permanently of the possession, use or benefit of such merchandise without paying the full retail value of such merchandise, which exceeded \$300, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

COUNT VII

(Violation of Order of Protection as to S.C.)

55. At all times related to this complaint, there was a statute in effect in Illinois, 720 ILCS 5/12-3.4 ("Violation of an order of protection"), that made it a crime for a person to, knowingly commit an act which was ordered by a court in violation of a remedy in a valid order of protection authorized by Section 214 of the Illinois Domestic Violence Act of 1986.

56. On December 11, 2023, Respondent's wife, S.C., filed a petition for dissolution of marriage in the Circuit Court of Cook County. The matter was assigned case number 2023D230432.

57. On February 15, 2024, the court entered an emergency order of protection in case number 2023D230432, in effect until March 7, 2024, prohibiting Respondent from abusing, harassing, interfering with the personal liberty of, stalking, or contacting S.C. by any means.

58. On March 7, 2024, the court extended the emergency order of protection to March28, 2024.

59. On March 28, 2024, the court entered a plenary order of protection against Respondent, in effect until March 28, 2026, prohibiting Respondent from abusing, harassing, interfering with the personal liberty of, stalking, or contacting S.C. or S.C.'s children.

60. On August 3, 2024, Respondent was charged in the Circuit Court of Cook County with one count of the offense of violation of an order of protection in violation of 720 ILCS 5/12-3.4-A-1. The matter was docketed as *People of the State of Illinois v. Kevin Conrad*, case number 24DV2107401.

61. Case number 24DV2107401 was still pending as of the date of filing this complaint.

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

a. committing a criminal act that reflects adversely on his fitness to practice law, by virtue of his violation of section 720 ILCS 5/12-3.4 of the Illinois Criminal Code, by knowingly committing an act prohibited by the order of protection entered in 2023D230432 when Respondent emailed, texted, and called S.C. on February 16, 2024, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator 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

> <u>/s/ Evette L. Ocasio</u> Evette L. Ocasio

Evette L. Ocasio

Evette L. Ocasio Counsel for Administrator One Prudential Plaza 130 East Randolph Drive, Suite 1500 Chicago, Illinois 60601 Telephone: (312) 565-2600 Email: <u>eocasio@iardc.org</u> Email: <u>ARDCeService@iardc.org</u>