



**BEFORE THE PRESIDING DISCIPLINARY JUDGE
OF THE SUPREME COURT OF ARIZONA**

**IN THE MATTER OF A MEMBER OF THE
STATE BAR OF ARIZONA,**

WILLIAM B. FORTNER,
Bar No. 004923

Respondent.

PDJ-2012-9115

**REPORT AND ORDER IMPOSING
SANCTIONS**

FILED MAY 28, 2013

[File No. 11-3792]

On April 25 and 26, 2013, the Hearing Panel ("Panel") composed of Edward J. Luterbach, a public member from Yuma County, Gary L. Stuart, an attorney member from Maricopa County, and the Presiding Disciplinary Judge ("PDJ") held a two day hearing pursuant to Supreme Court Rule 58(j), Ariz.R.Sup.Ct. Stacy L. Shuman appeared on behalf of the State Bar of Arizona ("State Bar") and Mr. Fortner appeared pro per. Rule 615 of the Arizona Rules of Evidence, witness exclusionary rule was invoked.¹ The Panel carefully considered the admitted exhibits, the parties' Joint Prehearing Statement, individual prehearing memoranda, testimony, and evaluated the credibility of the witnesses including Mr. Fortner. The Panel now issues the following "Report and Order Imposing Sanctions," pursuant to Supreme Court Rule 58(k).

¹ Consideration was given to the sworn testimony of Richard Peel, Mary Lou Peel and Michael Holdsworth, Esq.

I. SANCTION IMPOSED:

ATTORNEY SUSPENDED FOR SIX (6) MONTHS AND ONE (1) DAY. UPON REINSTATEMENT, TWO (2) YEARS OF PROBATION WITH THE STATE BAR'S LAW OFFICE MANAGEMENT ASSISTANCE PROGRAM ("LOMAP") AND THE PAYMENT OF COSTS OF THESE DISCIPLINARY PROCEEDINGS IMPOSED.

II. BACKGROUND AND PROCEDURAL HISTORY

A Probable Cause Order was filed on June 11, 2012. The Complaint was filed on December 28, 2012, and served by mail on January 2, 2013, pursuant to Supreme Court Rule 47(c). Mr. Fortner filed his Answer on January 24, 2013. The Complaint alleged violations of ER 1.1 (competence), ER 1.3 (diligence), ER 1.4 (communication), ER 2.1 (exercise independent professional judgment and render candid advice), ER 3.1 (meritorious claims and contention), ER 3.4(c) (knowingly disobey and obligation under rules of tribunal), and ER 8.4(d) (conduct prejudicial to the administration of justice).

On February 5, 2013, the Initial Case Management Conference was held and the matter was set for a two day hearing. The parties filed a Joint Prehearing Statement on April 5, 2013. The State Bar filed its individual prehearing memorandum on April 17, 2013 and Mr. Fortner filed his prehearing memorandum on April 22, 2013. Mr. Fortner filed his Proposed Findings of Fact and Conclusions of Law on May 13, 2013.

The State Bar argues that suspension and probation is an appropriate sanction for Mr. Fortner's misconduct. Mr. Fortner argues that the ethic violations, if any, were negligent at most, and that a practice monitor coupled with practice restrictions and yearly auditing by LOMAP is an appropriate sanction in this matter.

III. FINDINGS OF FACT

The Panel hereby adopts and incorporates by reference the stipulated facts of this case as detailed in the parties Joint Pre-Hearing Statement and the admitted Complaint.² At all times relevant, Respondent was a lawyer licensed to practice law in the state of Arizona, having been first admitted to practice in Arizona on June 1, 1977.

Bob Peel and his brother Richard Peel are beneficiaries of two trusts, both named the Peel Family Trust, which were created by their parents Robert Dean and Martha Mae Peel in 1999. This action arose from a dispute between Bob Peel and Richard Peel over administration of the trusts by Bob and Ann Peel as successor trustees after the June 23, 2009, death of Martha Mae Peel.³ Prior to the death of Martha Mae, Darla Panning-Aycock, served as trustee, although merely in name, having ignored a great deal of her trustee duties. Bob Peel and his wife, Ann Peel, replaced Ms. Panning-Aycock as successor trustees, and were trustees at the time of Martha Mae's death.

The two catalysts for the underlying cause of action giving rise to this disciplinary matter are Bob and Ann Peel becoming successor trustees of the Peel Family Trust and Bob Peel's failure, as trustee, to provide documentation to his brother and beneficiary of the trusts, Richard. The fuel to the proverbial fire that decimated Richard Peel's interest in the trusts came in the form of Respondent's gross incompetence in perpetuating the underlying cause of action and his failure to recognize the obvious diminished capacity of his clients.

² See State Bar Complaint and parties Joint Pre-Hearing Agreement.

³ Robert Dean Peel had pre-deceased his wife.

Richard and Mary Lou Peel (hereinafter Clients) retained Respondent to address their concerns regarding the handling of the trust and trust assets by Bob and Ann Peel, whom Respondent asserted were not a lawful trustees. The sole income of both Richard and Mary Lou Peel is social security disability benefits. Although both Clients were identified as having obvious diminished capacity by the Panel, upon observing their testimony, Richard Peel's diminished capacity was glaring, resulting in the Panel noticing Respondent of a violation of ER 1.14 pursuant to Supreme Court Rule 47(b).

CONCLUSIONS OF LAW

The Panel finds clear and convincing evidence that Mr. Fortner violated ERs 1.1 (competence), 1.3 (diligence), 1.4(b) (communication), 2.1 (advisor) and 8.4(d) (conduct prejudicial to the administration of justice). In addition, the Panel finds that Mr. Fortner violated ER 1.14 (client with diminished capacity).⁴ The Panel finds the evidence however, is not clear and convincing that Mr. Fortner violated ERs 3.1 (meritorious claims and contentions) and 3.4(c) (knowingly disobey an obligation under rules of tribunal).

While Mr. Fortner was sanctioned by the trial court, that fact alone does not equate to an ethical violation. In attorney discipline matters, the Panel may consider prior judicial findings but independently reviews those findings and the Panel makes their own findings and conclusions based on the evidence presented. *Matter of Levine*, 174 Ariz. 146, 847 P.2d 1093 (1993). Additionally, our Supreme Court applies an objective standard in considering whether the matter is brought

⁴ At hearing, the Panel noticed Respondent of a violation of ER 1.14 pursuant to Rule 47(b), Ariz.R.Sup.Ct.

frivolously and uses a subjective standard to determine the lawyer's motives and if the lawyer acted in good faith. *Matter of Alexander*, 659 Ariz. Adv. Rep. 19, ___P.3d___ (filed May 2, 2013); *Levine, supra*, at 153.

In this case, the Panel determined Mr. Fortner's conduct did not rise to the level of a violation of ER 3.1 as there was not clear and convincing evidence of an improper motive behind initiation of the underlying cause of action. Mr. Fortner argues that he initiated the Clients' legal claim in good faith. Regarding the alleged violation of ER 3.4(c), although Mr. Fortner may have been negligent in failing to timely disclose a witness prior to trial and failing to timely reply to a pending motion for sanctions, there is no evidence he knowingly violated ER 3.4(c) or knew that failing to do so was an ethical violation. The Supreme Court has held that evidence demonstrating that a lawyer should have known their conduct violated 3.4(c) is insufficient to establish an ethical violation. *In re Tocco*, 194 Ariz. 453, 457 ¶ 11, 984 P.2d 539, 543 (1999).

The Panel concludes this case more appropriately turns on Mr. Fortner's incompetence to handle the Clients' claim and the appeal from the adverse judgment entered by the trial court against his Clients. The record supports, and Respondent admits, he was not competent to undertake such representation, and clearly did not competently assess or evaluate Clients' diminished capacity. He then continued to perpetuate his incompetence and the lawsuit by appealing the matter, to the extreme detriment of Clients. Overall, he failed to demonstrate sufficient knowledge of the make-up of the trusts involved and failed to investigate the facts and law required to represent the Clients' best interests.

DISCUSSION OF DECISION

This matter demonstrates the level of devastation clients may suffer at the hands of counsel who is not competent to adequately handle a particular matter. This matter is also an example of the impact of not only an attorney practicing with some diminished capacity, but more importantly, the devastating effect of the failure of counsel to recognize the diminished capacity of clients and the effect of failing to ensure such clients have reached the same level of understanding of the risks and consequences of pursuing a cause of action as a client who does not face similar obstacles in understanding and comprehension.

Mr. Fortner acknowledges the State Bar has legitimate concerns regarding his law practice. He admits his analysis of the underlying case was inadequate and even wrong, but stated the mistakes he made were not prejudicial to the Clients. The Panel fervently disagrees. Both Richard and Mary Lou Peel are receiving social security benefits and have no major assets. They are not receiving any monies from the trust, nor did they receive any monies from the trusts during the pendency of the case brought by Mr. Fortner.

Even if the Clients were not of diminished capacity the Panel finds there was no meaningful discussion with the Clients about the risks associated with the litigation and that Richard risked losing the trust if he challenged the provisions of the trust. In light of the conspicuous diminished capacity of both Richard and Mary Lou Peel, particularly of Richard Peel, combined with the woefully inadequate communication by Mr. Fortner and multiplied Mr. Fortner's incompetence made the injury to Clients even greater. Mr. Fortner testified he did not know of the complexity of the trusts until just before he filed an appeal of the trial court's judgment against his clients. In fact, he

did not understand that by bringing the initial action, a provision of one of the trusts was triggered potentially barring Richard Peel from benefitting from the trust. He also admits he did not discuss with the Clients how sanctions or fees would be paid if the litigation was unsuccessful. Actual injury occurred to his Clients; the extent of which to date is not known. Mr. Fortner knew, and it was obvious from the testimony that Clients risked losing the sole remaining asset of the trust – their home – in order to satisfy the additional sanctions and costs levied by the Court of Appeals. The Court of Appeals affirmed the trial court's decision and Mr. Fortner filed a Petition for Review with the Supreme Court of Arizona which is currently pending.

Mr. Fortner stated the trusts were complex and he did not understand the irrevocable trust until he met with Mr. Holdsworth well after the trial court judgment against Clients. Respondent acknowledged receiving an accounting from Mr. Holdsworth but did not send the accounting to an expert or third party to review before determining it was inadequate or deficient.

Ethical Rule 1.14, *Client with Diminished Capacity*, provides that:

(a) When a client's capacity to make adequately considered decisions in connection with the representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.

(b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad litem, conservator or guardian.

Client Richard Peel, due to his brain injury and other resulting medical issues, was not capable, of making an informed decision regarding the risks of moving forward with litigation and the consequences of an unsuccessful appeal. The impact of the brain injury on Richard Peel's ability to understand legal matters, recall information, and make decisions was immediately apparent to the Panel as soon as he took the stand and began testifying. Richard Peel testified he was confused and frustrated by the litigation. His focus was on his perception that his brother, Robert Peel would not give him an accounting of the trust's assets and there was no disclosure of his Mother's household and personal effects. He stated he was not aware that by initiating an action against the trust he risked losing the benefits from the trust. He further indicated he did not know his brother, Bob Peel had filed a cross-complaint during the litigation to effectuate that provision of the trust. He also stated he was not aware that his home, the only remaining asset in the trust, could be sold to satisfy the award of attorney fees and court ordered obligations regarding sanctions. He added that he does not recall if the risks of appealing the trial court's decisions were discussed with his attorney and he expected his entire attorney fees would be paid by the trust.

Richard Peel was aware his Mother hired a professional and had an estate sale before she moved to Texas but stated he did not know what items were sold and what items were taken with her to Texas. This information, coupled with the clear difficulty in memory and understanding resulting from his brain injury, required much more communication and investigation than was exercised by Mr. Fortner. Richard Peel indicated he knew that the court ordered sanctions but that he was not aware why motions for sanctions were filed or the basis for the trial court or Court of Appeals

awarding those sanctions. Although Richard Peel indicated he felt Mr. Fortner adequately communicated with him, he acknowledges he was unaware of the extent of the risks of proceeding and that Mr. Fortner did not encourage him to settle the matter. In fact, Richard stated he did not see the letter dated March 15, 2013 from Kelly Ruda, Esq. regarding the settlement offer for attorney fees related to the appeal but that his attorney merely told him about the letter. State Bar Exhibit 28, bates 872. However, the record indicates Mr. Fortner did not communicate the content of the offer to Clients until after he filed the appeal in the Court of Appeals.

An attorney representing a client with diminished capacity has fundamental duties to that client which begin with the duty to determine the extent of the client's diminished capacity. No analysis was done here. That his Client had diminished capacity was known and obvious. Comment [6-7] to Ethical Rule 1.14 gives clear guidance to a lawyer to assist in maintaining a normal client-lawyer relationship. None of these safeguarding actions were taken by Mr. Fortner. When coupled with his incompetence they assured the unfortunate result that followed.

[6] In determining the extent of the client's diminished capacity, the lawyer should consider and balance such factors as: the client's ability to articulate reasoning leading to a decision, variability of state of mind and ability to appreciate consequences of a decision; the substantive fairness of a decision; and the consistency of a decision with the known long-term commitments and values of the client. In appropriate circumstances, the lawyer may seek guidance from an appropriate diagnostician.

[7] If a legal representative has not been appointed, the lawyer should consider whether appointment of a guardian ad litem, conservator or guardian is necessary to protect the client's interests. Thus, if a client with diminished capacity has substantial property that should be sold for the client's benefit, effective completion of the transaction may require appointment of a legal representative.

Mr. Holdsworth, Esq., was designated as the alternate successor trustee and drafted the estate planning documents. He did not draft the hand written flow chart illustration of the Peel Family Trust and the disposition of assets. [SB Exhibit 139] After accepting the appointment of successor trustee in mid to late 2010, he prepared a good faith accounting of the assets and gave the accounting to Richard Peel. In January 2011 he met with all of the remaining Peels to discuss the trusts. He advised that he had discretion over the trust distribution to Richard Peel. He did not find any irregularities in the information provided by Bob and Ann Peel when they were trustees and specifically, found no evidence of conversion. He testified that currently, the only asset remaining in the trust is Richard and Mary Lou Peels' home that may now have to be sold to cover court sanctions and attorney fees.

Mr. Holdsworth stated he pleaded with Mr. Fortner to settle the litigation and to consider the consequences to Richard Peel.⁵ He estimated that if the litigation had settled, approximately \$100,000.00 would have been preserved in the trust for Richard Peel's needs. He added he thought Richard Peel was vulnerable in addition to being disabled, and did not understand the litigation.

Mr. Fortner testified that based on his representation, the Clients currently owe him approximately \$30,000.00 in attorney fees, and he knows they cannot pay him and as such he is not seeking payment of the fees. He stated he filed the complaint to compel discovery and to obtain limited relief for his Clients. However, he testified he did not utilize the full course of discovery to obtain the information sought, nor did

⁵ 14-10803 *Impartiality*, provides that:

If a trust has two or more beneficiaries, the trustee shall act impartially in investing, managing and distributing the trust property, giving due regard to the beneficiaries' respective interests.

he seek a motion to compel of sanctions against Bob and Ann Peel for failure to comply with the discovery requests that were made during the litigation.

Mr. Fortner's actions however, were adverse to the Clients' interests. He should have considered his level of competency in handling trust matters and moreover, evaluated the circumstances and considered if protective action should be taken on behalf of Richard Peel. Although Respondent advised the Clients to seek the advice of independent legal counsel, that advice was not sufficient to overcome the obligations inherent in representing a client with a diminished capacity.

V. SANCTIONS

In considering an appropriate sanction, we review the American Bar Association's *Standards for Imposing Lawyer Sanctions* ("Standards") as a guideline. Rule 58(k), Ariz.R.Sup.Ct. The appropriate sanction turns on the unique facts and circumstances of each case. *In re Wolfram*, 174 Ariz. 49, 59, 847 P.2d 94, 104 (1993).

Analysis under the ABA Standards

Generally, when weighing which sanction to impose, consideration is given by the hearing panel to the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *In re Peasley*, 208 Ariz. 27, 33, 35, 90 P.3d 764, 770 (2004). See also *Standard 3.0*.

The *Standards* do not account for multiple charges of lawyer misconduct and the ultimate sanction should at least be consistent with the sanction for the most serious misconduct. *Theoretical Framework*, p. 7. Consideration is also given to the degree of harm caused by the misconduct. *Matter of Scholl*, 200 Ariz. 222,

224-225, 25, P.3d 710 (2001). A lawyer's most important ethical duties are those duties owed to clients. *Standards* at 5.

In these matters, Mr. Fortner violated duties owed to the client, the legal system and as a professional. *Standard* 4.5, Lack of Competence is applicable to Respondent's violation of ER 1.1. *Standard* 4.52 provides that:

Suspension is generally appropriate when a lawyer engages in an area of practice in which the lawyer knows he or she is not competent, and causes injury or potential injury to a client.

Respondent failed to provide his Clients with competent representation in the underlying trial and in the appeal from the adverse judgment entered by the trial court against his Clients.

Standard 4.4, Lack of Diligence is applicable to Respondent's violation of ER 1.3 and 1.4. *Standard* 4.42 provides that Suspension is generally appropriate when:

- (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client, or
- (b) a lawyer engages in a pattern of neglect and causes injury or potential injury to a client.

Respondent failed to act with reasonable diligence and promptness in representing his Clients. This was compounded by among other things such as his negligently failing to disclose the identity of a witness and the substance of the anticipated testimony prior to trial; failing to identify property that his Clients claimed had been converted, prior to trial; and failing to timely file a reply brief to a motion for sanctions, which the trial court refused to then consider. Respondent also failed to file a motion to enforce the settlement agreement in an effort to avoid trial and minimize the risks and consequences of full litigation.

Respondent further failed to explain the merits of the complaint, the subsequent appeals and associated risks to his Clients to the extent reasonably necessary to permit the Clients to understand and make informed decisions regarding the representation and continued litigation.

Standard 7.0, Violations of Other Duties Owed as a Professional is applicable to Respondent's violation of ER 2.1. *Standard 7.2* provides that:

Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

In representing his Clients, Respondent failed to exercise competent independent professional judgment and render candid advice, by among other things, failing to provide his Clients with an honest assessment of the merits of the underlying trial and of the appeal from the adverse judgment entered by the trial court against them. Respondent also failed to adequately communicate a settlement offer in relation to sanctions and costs related to the appeal that would have minimized further injury to Clients.

Standard 6.2, Abuse of the Legal System is applicable to Respondent's violation of ER 8.4(d). *Standard 6.22* provides that:

Suspension is appropriate when a lawyer knowingly violates a court order or rule, and there is injury or potential injury to a client or a party, or interference or potential interference with a legal proceeding.

Respondent engaged in conduct that is prejudicial to the administration of justice by, among other things, by his negligently failing to comply with the rules of the trial court; prosecuting the complaint and appealing from the adverse judgment

entered by the trial court against Respondent's Clients, both of which were found to be without merit and resulted in the tribunal assessing attorney fees as a sanction against Respondent and/or his Clients.

The Panel determined that suspension is the presumptive sanction and is warranted in this matter. Generally when imposing sanctions, the more serious the injury, the more serious the sanction should be. *In re Cardenas*, 164 Ariz. 149, 152, 791 P.2d 1032, 1035 (1990). After a lawyer's misconduct has been established, the Panel may consider any aggravating and mitigating factors to aid in determining the appropriate sanction.

Standard 9.0, Aggravating and Mitigating factors

In attorney discipline proceedings, aggravating factors need only be supported by reasonable evidence. *In re Matter of Peasley*, 208 Ariz. 27, 90 P.3d 764 (2004). The Panel determined the evidence supports the following aggravating factors are present: 9.22(a) prior disciplinary offenses, 9.22(c) pattern of misconduct, 9.22(g) refusal to acknowledge wrongful nature of misconduct, 9.22(h) vulnerability of victim, and 9.22(i) substantial experience in the practice of law. Mr. Fortner's prior disciplinary offenses are as follows:

- An Indefinite Suspension was imposed effective November 15, 1983 in File Nos. 83-0391et al., for violations of DRS 1-102 (A) (5) and (6), 6-101 (A) (2), 7-101 (A) (3), 7-102 (A) (1) and (2), and 8-102 (B); reinstated with 2 years of probation (MAP for substance abuse/alcohol and marijuana) and take written examination for admission to practice in AZ. Reinstatement effective May 24, 1994. [SB Exhibit 34, Bates 888-942]
- An Order of Informal Reprimand was imposed in File 00-0215 effective June 29, 2000 for violating ERs 4.1(a) and 8.4(c). [Exhibit 31, Bates 943-944]
- Pursuant to an Agreement for Discipline by Consent, censure and two years of probation (LOMAP with Practice monitor) was imposed effective December

8, 2003 in File Nos. 00-1999, et al., for violations of ERs 1.3, 1.15, 5.3, 8.4(d) and Rules 43 and 44. [Exhibit 31, Bates 945-983]

- An Order of Probation (2 years/LOMAP) was imposed effective December 3, 2003 in File 03-1512 for violating ERs 1.3, 5.3 and 8.4(d). [Exhibit 31, Bates 985- 988]
- An Order of Probation (LOMAP) was imposed effective June 8, 2004 in File No. 04-0574 for violations of ERs 1.1 and 1.2. [Exhibit 31, Bates 989-992]

The Panel determined the following mitigating factors are present: 9.32(b) absence of a selfish or dishonest motive, 9.32(e) full and free disclosure to disciplinary board or cooperative attitude towards proceedings, and 9.32(m) remoteness of prior offenses.

CONCLUSION

The Panel has weighed the facts and circumstances in this matter and considered the applicable *Standards* including the aggravating and mitigating factors. Now therefore,

IT IS ORDERED:

Mr. Fortner is suspended from the practice of law in Arizona for six (6) months and one (1) day. Upon reinstatement, two years of probation (LOMAP) is imposed and Respondent shall pay the costs of these disciplinary proceedings. The suspension shall be effective thirty (30) days from the date of this Report and Order. Mr. Fortner shall also comply with Rule 72, Ariz. R.Sup. Ct. Specific terms of probation shall be determined at the time of reinstatement.

DATED this 28th day of May, 2013.

/s/ William J. O'Neil

**Hon. William J. O'Neil
Presiding Disciplinary Judge**

CONCURRING

/s/ Edward J. Luterbach

Edward J. Luterbach, Volunteer Public Member

/s/ Gary L. Stuart

Gary L. Stuart, Volunteer Attorney Member

Original filed with the Disciplinary Clerk
of the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 28th day of May, 2013.

Copies of the foregoing mailed/emailed
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**BEFORE THE PRESIDING DISCIPLINARY JUDGE
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STATE BAR OF ARIZONA,

WILLIAM B. FORTNER,
Bar No. 004923

Respondent.

No. PDJ-2012-9115

FINAL JUDGMENT AND ORDER

[State Bar No. 11-3792]

FILED JULY 22, 2013

This matter having come on for hearing before the Hearing Panel of the Supreme Court of Arizona, it having duly rendered its decision, an appeal having been filed and the application for stay of suspension pending the appeal having been denied by separate Order of the Panel on July 16, 2013, accordingly,

IT IS HEREBY ORDERED that **WILLIAM B. FORTNER**, is suspended from the practice of law for a period of six (6) months and one (1) day effective the date of this Order for conduct in violation of his duties and obligations as a lawyer as disclosed in the Hearing Panel's Report.

IT IS FURTHER ORDERED that Mr. Fortner shall immediately comply with the requirements relating to notification of clients and others, and provide and/or file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

IT IS FURTHER ORDERED that upon reinstatement Mr. Fortner shall be placed on probation for a period of two (2) years with the State Bar's Law Office

Management Assistance Program. The specific terms and conditions of probation shall be determined at the time of reinstatement.

DATED this 22nd day of July, 2013.

/s/ William J. O'Neil

The Honorable William J. O'Neil
Presiding Disciplinary Judge

Original filed with the Disciplinary Clerk
this 22nd day of July, 2013.

COPY of the foregoing e-mailed/mailed
this 22nd day of July, 2013, to:

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