

In the Matter of Edward V. Lacambra. Bar No. 002153 (PDJ-2001-9005)

05/10/2011. *Attorney Suspended For Six Months and One Day Plus Two Years of Probation and Restitution imposed.*

The PDJ approved the Agreement for Discipline by Consent submitted by the parties and suspended Edward V. Lacambra, Bar No. 002153, from the practice of law for six months and one day with two years of probation (participation in the State Bar's Law Office Management Program and Member Assistance Program) upon reinstatement and restitution in the amount of \$500.00.

Count One: In October, 2006, Respondent filed a complaint on behalf of a client. One defendant filed a motion for partial summary judgment and respondent failed to timely provide a response or opposition to the motion. At oral argument on that motion Respondent conceded that no contract existed as to a second defendant but refused to withdraw the contract claim. That defendant filed a motion for summary judgment which was granted and the court awarded \$13,874.80 in attorney fees. When the first defendant filed another motion for summary judgment, Respondent again did not respond and failed to file his initial disclosure statement. When his client hired different counsel to take over the case, that attorney was not unable to undo the harm caused the client. Respondent then informed that attorney in writing his services were no longer needed and he withdrew. Respondent then appeared in court on behalf of the client stating he was not retained but wanted to appear anyway. That request was denied. The case was dismissed when Respondent failed to file a Status Report.

Respondent filed an answer and counterclaim in another matter on behalf of the same client. Respondent failed to file a disclosure statement or respond to multiple letters from opposing counsel requesting disclosure. As a result a motion to compel was filed. Respondent failed to respond and failed to appear at a comprehensive pretrial conference. The motion to compel was granted. Respondent failed to comply with the order. Respondent failed to timely respond to the multiple State Bar screening letters.

Count Two. Respondent signed a fee agreement in Spanish to probate an estate. He was paid \$7,500 retainer which he deposited in his personal account. Respondent filed an application for information probate. The application was denied as the client had no priority. A partial refund was requested. None was given. Respondent failed to respond to the multiple State Bar screening letters.

Respondent had prior disciplinary offenses including a censure in 2008 and an informal reprimand in 2006.

Respondent's misconduct constituted grounds for the imposition of discipline pursuant to the Rules of the Supreme Court of Arizona, and violated Rule 42, ERs 1.1, 1.2, 1.3, 1.4, 1.15, 1.16, 3.2, 3.4(c), 8.1(c) (d) 8.1(b), 8.4(d), and Rule 43 and Rule 53 (c), (d), (e) and (f). The agreement is accepted and costs awarded in the amount of \$1,275.20. The proposed final judgment and order is reviewed, approved and signed. The suspension is immediate.