

Hunter F. Perlmeter, Bar No. 024755
Senior Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Telephone (602) 340-7269
Email: LRO@staff.azbar.org

Jessica Jean-Marie Kokal, Bar No. 029042
Broening Oberg Woods & Wilson PC
2800 N CENTRAL AVE STE 1600
PHOENIX, AZ 85004-1047
Telephone 602-271-7739
Email: jjk@bowwlaw.com
Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**LEONIDAS G. CONDOS,
Bar No. 016153,**

Respondent.

PDJ 2021-9074

State Bar File No. **21-0889, 21-1102**

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona, and Respondent Leonidas G. Condos, who is represented in this matter by counsel, Jessica Jean-Marie Kokal, hereby submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. A probable cause order was entered on August 18, 2021. A formal complaint

was filed August 23, 2021. Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections or requests which have been made or raised, or could be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

Pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct., notice of this agreement was provided to the complainant(s) by letter on October 21, 2021. Complainants have been notified of the opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. No objections to the agreement have been received by the State Bar.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, R. Sup. Ct., ERs 1.3 and 1.15 in count one and ERs 3.4(c), 5.5, 8.4(c), 8.4(d), and Rule 72 in count two. Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: **four (4) year suspension** from the effective date of the judgment and order in this matter. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order. If costs are not paid within

the 30 days interest will begin to accrue at the legal rate.¹ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

FACTS

GENERAL ALLEGATIONS

1. Respondent was first licensed to practice law in Arizona on May 20, 1995.
2. On August 17, 2020, Respondent began serving a disciplinary suspension of one (1) year for misconduct in PDJ2019-9088. He has not been reinstated.

COUNT ONE (File no. 21-0889/ Wilder

3. On April 6, 2021, counsel for American Family Insurance filed a bar charge against Respondent for his failure to satisfy his client's Medicare lien in a personal injury case (Maricopa Case no. CV2011-095779).

¹ Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

4. In 2012, Respondent settled the client's claim for \$26,500. As part of the settlement, both the client and Respondent signed a January 13, 2012 release and a Medicare addendum in which the client agreed to satisfy all liens.

5. Respondent did not honor the lien, but instead distributed all funds to the client and himself.

6. American Family became aware of the outstanding lien when it was copied on a March 9, 2021 letter to the client demanding payment of \$13,608,80.

7. Respondent's above described conduct in Count One violated ERs 1.3 and 1.15.

COUNT TWO (File no. 21-1102/Judicial)

8. On June 12, 2020, in PDJ 2019-9088, Respondent and the State Bar filed a consent agreement for a one-year disciplinary suspension related to various trust account violations.

9. On June 18, 2020, the PDJ issued a final judgment and order accepting the agreement and suspending Respondent for one (1) year effective sixty (60) days from the date of the order.

10. On July 16, 2020, Respondent filed an Answer on behalf of a debtor in bankruptcy case no. 2:20-bk-00967-DPC (administrative case).

11. On July 22, 2020, Respondent filed an answer in the adversary proceeding (2:20-ap-00112) within the administrative case.

12. On July 29, 2020, Respondent filed a motion to set aside entry of default in the adversary case.

13. On August 17, 2020, Respondent's one (1) year suspension became effective.

14. On September 21, 2020, Respondent appeared for a hearing on behalf of the debtor in the adversary case. He did not disclose to the court, or any other participants in the case, that he had been suspended by the Arizona Bar.

15. On November 17, 2020, the United States Trustee's Office filed a motion to remove Respondent as counsel for the debtor after learning on its own of Respondent's suspension.

16. By order of November 18, 2020, the court set a December 22, 2020 hearing on the motion to remove Respondent.

17. On May 5, 2021, Judge Collins of the Bankruptcy Court sent a letter to the State Bar reporting Respondent's conduct.

18. In engaging in the above conduct in count two, Respondent violated ERs 3.4(c), 5.5, 8.4(c), 8.4(d), and Rule 72.

CONDITIONAL ADMISSIONS

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation. Respondent conditionally admits that he violated Rule 42, Ariz. R. Sup. Ct., ERs 1.3 and 1.15 in count one and ERs 3.4(c), 5.5, 8.4(c), 8.4(d), and Rule 72 in count two.

CONDITIONAL DISMISSALS

There are no conditional dismissals.

RESTITUTION

Restitution is not an issue in this matter.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanction is appropriate: **Suspension of four (4) years.** If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant

to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter.

In determining an appropriate sanction the Court considers 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. *Standard* 3.0.

The parties agree that the following is the appropriate *Standard* given the facts and circumstances of this matter: *Standard* 6.22 *Abuse of The Legal Process* provides that Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.

The duty violated

Respondent's conduct violated his duty to the profession and the legal system.

The lawyer's mental state

Respondent knowingly violated the terms of his suspension in PDJ2019-9088.

The extent of the actual or potential injury

There was actual harm to the legal system as a result of wasted court time.

Aggravating and mitigating circumstances

The presumptive sanction is Suspension. The parties conditionally agree that the following aggravating and mitigating factors should be considered:

In aggravation:

- a) 9.22(a) prior disciplinary offenses:
 - 00-1764: censure and probation including MAP and TAEPP.
 - 14-2632 and 14-3535: admonition and probation
 - 18-3545: Suspension (1 - year effective Aug. 17, 2020)
- b) 9.22(d) multiple offenses (all of the rule violations identified herein)
- c) 9.22(i) substantial experience in the practice of law (Respondent was admitted in Arizona in 1995).

Mitigating factor:

- a) 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings.

Discussion

The parties conditionally agree that upon application of the aggravating factors, a long-term suspension is appropriate. Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. In re *Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Suspension and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

DATED this 9th day of November 2021

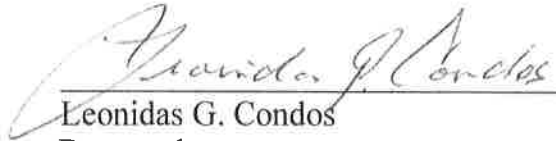
STATE BAR OF ARIZONA

/s/ Hunter F. Perlmeter

Hunter F. Perlmeter
Senior Bar Counsel

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.

DATED this 5th day of November, 2021.



Leonidas G. Condos
Respondent

DATED this _____ day of November, 2021.

Broening Oberg Woods & Wilson PC

Jessica Jean-Marie Kokal
Counsel for Respondent

Approved as to form and content

STATE BAR OF ARIZONA

Hunter F. Perlmeter
Senior Bar Counsel

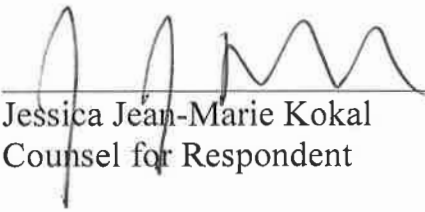
This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.

DATED this _____ day of November, 2021.

Leonidas G. Condos
Respondent

DATED this 5 day of November, 2021.

Broening Oberg Woods & Wilson PC



Jessica Jean-Marie Kokal
Counsel for Respondent

Approved as to form and content

/s/ Maret Vessella

Maret Vessella
Chief Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 9th day of November, 2021.

Copy of the foregoing emailed
this 9th day of November, 2021, to:

The Honorable Margaret H. Downie
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
E-mail: officepdj@courts.az.gov

Copy of the foregoing mailed/emailed
this 9th day of November, 2021, to:

Jessica Jean-Marie Kokal
Broening Oberg Woods & Wilson PC
2800 N Central Ave Ste. 1600
Phoenix, AZ 85004-1047
Email: jjk@bowwlaw.com
Respondent's Counsel

Copy of the foregoing hand-delivered

this 9th day of November, 2021, to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th St., Suite 100
Phoenix, Arizona 85016-6266

by: /s/ Dorian Dawson
HFP/dpd

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona
Leonidas G. Condos, Bar No. 016153, Respondent

File No(s). 21-0889 and 21-1102

Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

General Administrative Expenses
for above-numbered proceedings **\$1,200.00**

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

Additional Costs

06/10/21	Computer investigation report, PACER	\$ 6.00
06/24/21	Computer investigation report, PACER	\$ 3.10

Total for additional costs	<u>\$ 9.10</u>
----------------------------	----------------

<u>TOTAL COSTS AND EXPENSES INCURRED</u>	<u>\$ 1,209.10</u>
---	---------------------------

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**LEONIDAS G. CONDOS,
Bar No. 016153,**

PDJ 2021-9074

**FINAL JUDGMENT AND
ORDER**

State Bar No. 21-0889, 21-1102

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement.

Accordingly:

IT IS ORDERED that Respondent, **Leonidas G. Condos**, is Suspended for four (4) years for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, from the date of this order.

IT IS FURTHER ORDERED that, upon reinstatement, Respondent shall be subject to any terms of probation imposed as a result of reinstatement hearings held.

IT IS FURTHER ORDERED that Respondent shall be subject to any additional terms imposed by the Presiding Disciplinary Judge as a result of reinstatement hearings held.

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ _____, within 30 days from the date of service of this Order.

IT IS FURTHER ORDERED that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings in the amount of _____, within 30 days from the date of service of this Order.

DATED this _____ day of November, 2021.

Margaret H. Downie, Presiding Disciplinary Judge

Original filed with the Disciplinary Clerk of the Office of the Presiding Disciplinary Judge of the Supreme Court of Arizona this _____ day of November, 2021.

Copies of the foregoing mailed/mailed
this _____ day of November, 2021, to:

JessicaJean-Marie. Kokal
Broening Oberg Woods & Wilson PC
2800 N CENTRAL AVE STE 1600
PHOENIX, AZ 85004-1047
Email: jjk@bowwlaw.com
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered
this ____ day of November, 2021, to:

Hunter F Perlmeter
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Copy of the foregoing hand-delivered
this ____ day of November, 2021 to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266

by:_____

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

LEONIDAS G. CONDOS,
Bar No. 016153

Respondent.

PDJ 2021-9074

**DECISION ACCEPTING
AGREEMENT FOR DISCIPLINE
BY CONSENT**

[State Bar No. 21-0889, 21-1102]

FILED NOVEMBER 10, 2021

On November 9, 2021, the parties filed an Agreement for Discipline by Consent (“Agreement”) pursuant to Rule 57(a), Ariz. R. Sup. Ct. The State Bar is represented by Hunter F. Perlmeter, and Respondent Leonidas G. Condos is represented by Jessica Jean-Marie Kokal. A probable cause order issued on August 18, 2021, and the formal complaint was filed August 23, 2021.

Contingent on approval of the proposed form of discipline, Mr. Condos has voluntarily waived the right to an adjudicatory hearing, as well as all motions, defenses, objections, or requests that could be asserted. Pursuant to Rule 53(b)(3), notice of the Agreement was sent to the complainant on October 21, 2021. No objection has been received.

The Agreement details a factual basis to support the conditional admissions and is incorporated by reference. *See* Rule 57(a)(4). Mr. Condos admits that he violated Rule 42, ERs 1.3 (diligence), 1.15 (safekeeping client property) 3.4(c) (knowingly disobey an obligation under rules of tribunal), 5.5 (unauthorized practice of law), 8.4(c) (conduct

involving dishonesty, fraud, deceit or misrepresentation) and 8.4(d) (conduct prejudicial to the administration of justice). As a sanction, the parties agree to a four-year suspension and the payment of costs to the State Bar.

In Count One, Mr. Condos failed to satisfy outstanding medical liens in a personal injury matter and instead distributed all funds to the client and himself. In Count Two, while serving a one-year disciplinary suspension in PDJ 2019-9088, Mr. Condos engaged in the unauthorized practice of law by appearing on behalf of a client in the bankruptcy court. He did not advise the court of his suspension. After learning that Mr. Condos was suspended, the United States Trustee's Office filed a motion to remove him as counsel for the debtor.

Based on the conditional admissions, the parties agree that the presumptive sanction is a suspension under § 6.22 (Abuse of the Legal Process) of the ABA Standards. Respondent violated duties owed to the profession and the legal system, resulting in actual harm. The parties stipulate to the existence of aggravating factors 9.22(a) (prior disciplinary offenses), 9.22(d) (multiple offenses), and 9.22(i) (substantial experience in the practice of law). They further stipulate to the existence of mitigating factor 9.32(e) (full and free disclosure to disciplinary board or cooperative attitude toward proceedings).

Upon consideration of the aggravating and mitigating factors, the parties agree that a long-term suspension is the appropriate sanction. The PDJ concurs.

IT IS THEREFORE ORDERED accepting the Agreement for Discipline by Consent. A final judgment and order is signed this date.

DATED this 10th day of November 2021.

Margaret H. Downie
Margaret H. Downie
Presiding Disciplinary Judge

COPY of the foregoing e-mailed
this 10th day of November 2021 to:

Hunter F. Perlmeter
Senior Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, AZ 85016-6288
Email: LRO@staff.azbar.org

Jessica Jean-Marie Kokal
Broening Oberg Woods & Wilson, PC
2800 N. Central Avenue, Suite 1600
Phoenix, AZ 85004-1047
Email: jjk@bowwlaw.com
Respondent's Counsel

by: SHunt

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

LEONIDAS G. CONDOS,
Bar No. 016153

Respondent.

PDJ 2021-9074

FINAL JUDGMENT AND ORDER

[State Bar Nos. 21-0889, 21-1102]

FILED NOVEMBER 10, 2021

The Presiding Disciplinary Judge accepted the parties' Agreement for Discipline by Consent submitted pursuant to Rule 57(a), Ariz. R. Sup. Ct.

IT IS THEREFORE ORDERED that Respondent, **LEONIDAS G. CONDOS Bar No. 016153**, is suspended from the practice of law in Arizona for four years, effective immediately, for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

IT IS FURTHER ORDERED that upon reinstatement, Respondent shall be subject to any terms of probation imposed as a result of reinstatement hearings held.

IT IS FURTHER ORDERED that Respondent shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,209.10, within 30 days from the date of service of this order. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in these proceedings.

DATED this 10th day of November, 2021.

Margaret H. Downie

Margaret H. Downie
Presiding Disciplinary Judge

Copies of the foregoing mailed/ emailed
this 10th day of November, 2021, to:

Jessica Jean-Marie. Kokal
Broening Oberg Woods & Wilson PC
2800 N Central Avenue, STE 1600
Phoenix, AZ 85004-1047
Email: jjk@bowwlaw.com
Respondent's Counsel

Hunter F Perlmeter
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

by: SHunt