

*People v. Quimby*, 05PDJ008. April 25, 2005. Attorney Regulation.

The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Gregory John Quimby (Registration No. 24075) from the practice of law for a period of 60 days, effective May 26, 2005. The suspension is stayed pending successful completion of a one-year period of probation. In one client matter, Respondent failed to reduce the fee agreement to writing, deposited client proceeds from the sale of real estate into his operating account, unreasonably charged for processing those proceeds, and charged interest on his attorney fees. Thus, Respondent violated Colo. RPC 1.5(b) (failure to communicate basis of fee in writing within a reasonable time after commencing representation), 1.15(a) (failure to hold client property separate from the attorney's own property), and 1.5(a) (unreasonable fee). In another client matter, Respondent gave legal advice to a witness against his client, which resulted in her failure to appear and a warrant for her arrest. Thus, Respondent violated Colo. RPC 1.7(b)(2) (representation which is materially limited by the lawyer's responsibilities to another client without consent after consultation) and 8.4(d) (conduct prejudicial to the administration of justice). In a third client matter, Respondent refused to attend mediation, allowed a paralegal to explain documents and answer questions, and did not account for the retainer fee. Thus, Respondent violated Colo. RPC 1.3 (neglect of an entrusted legal matter), 5.5(b) (assisting in the unauthorized practice of law), 5.3(b) (failure to adequately supervise non-lawyer employee), and 1.15(b) (failure to provide an accounting upon request). Conditions of probation include successful completion of an ethics course, successful completion of a trust account course, restitution, and an accounting. Respondent was also ordered to pay the costs incurred in conjunction with this proceeding.