

*People v. Mark David Goldman. 24PDJ023. July 11, 2024.*

The Presiding Disciplinary Judge entered default, issued an opinion addressing the appropriate sanction to impose as reciprocal discipline, and suspended Mark David Goldman (attorney registration number 19301) from the practice of law in Colorado for thirty days, with the requirement that Goldman comply with the conditions of probation in his discipline imposed in Arizona. Goldman's suspension takes effect on August 15, 2024.

This reciprocal discipline case arose out of discipline imposed on Goldman in Arizona. On September 18, 2023, the Arizona Supreme Court's Presiding Disciplinary Judge entered an order suspending Goldman from the practice of law in Arizona for a period of thirty days and requiring that Goldman be placed on a two-year period of probation, with conditions, after he reinstates from the suspension. Goldman's Arizona discipline was premised on his misconduct in his clients' federal matter, during which he failed to appear for a status conference and failed to comply or respond to the presiding magistrate judge's orders, including an order to show cause why he should not be held in contempt of court for his conduct in the case. During the civil contempt proceeding that followed, Goldman failed to appear for the contempt hearing or explain his absence. The district court presiding over that matter issued a civil arrest warrant, and Goldman was arrested on the warrant and brought to the court a week later. Goldman continued to disregard the court's orders even after the court found him in contempt, including an order that he find new counsel for his clients' matter.

Through this conduct, Goldman engaged in conduct constituting grounds for reciprocal discipline under C.R.C.P. 242.21, which calls for imposition of the same discipline or the most closely analogous discipline as that imposed in Arizona.

The case file is public per C.R.C.P. 242.41(a). Please see the full opinion below.

SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE 1300 BROADWAY, SUITE 250 DENVER, CO 80203	
<b>Complainant:</b> THE PEOPLE OF THE STATE OF COLORADO  <b>Respondent:</b> MARK DAVID GOLDMAN, #19301	Case Number: <b>24PDJ023</b>
<b>OPINION IMPOSING SANCTIONS UNDER C.R.C.P. 242.21</b>	

Before the Presiding Disciplinary Judge (“the Court”) is “The People’s Position Statement,” filed by Jacob M. Vos of the Office of Attorney Regulation Counsel (“the People”) on June 20, 2024. Mark David Goldman (“Respondent”) did not respond.

On June 20, 2024, the Court granted the “People’s Motion for Default Pursuant to C.R.C.P. 242.27” and entered default in this reciprocal discipline matter, deeming admitted the facts and the claim alleged in the People’s complaint filed on April 8, 2024. Respondent did not answer the complaint or respond to the motion for default.

The People seek reciprocal discipline for Respondent’s suspension in Arizona. On September 18, 2023, the Arizona Supreme Court’s Presiding Disciplinary Judge entered an order suspending Respondent from the practice of law in Arizona for a period of thirty days and requiring that he be placed on a two-year period of probation, with conditions, after he reinstates from the suspension. In its order entering default, this Court suggested that the most closely analogous sanction under C.R.C.P. 242.21(b)(3)(A) would be a thirty-day suspension coupled with the requirement that Respondent comply with the Arizona conditions of probation. Noting that the People had requested in their motion for default a hearing to determine the form of discipline to be imposed, however, the Court directed the People to submit a position statement setting forth their basis to request a hearing. In their position statement, the People agree with the Court’s determination of the appropriate reciprocal discipline in this case, withdraw their request for a hearing, and move the Court to enter reciprocal discipline under C.R.C.P. 242.21(b)(3)(A).

C.R.C.P. 242.21(b)(3)(A) provides that the Court may, without convening a hearing, impose the same discipline as was imposed by another jurisdiction if the People do not seek substantially different discipline and the respondent does not challenge the order based on any of the defenses listed in C.R.C.P. 242.21(a). Here, the Court deemed the facts and the claim in the People’s complaint admitted, the People seek the analogous discipline as that imposed in

Arizona, and Respondent does not challenge the People's request for such discipline under C.R.C.P. 242.21(a). Accordingly, the discipline the People request is appropriate.

The Court therefore **ORDERS**:

1. **MARK DAVID GOLDMAN**, attorney registration number **19301**, is **SUSPENDED** from the practice of law in Colorado for a period of **THIRTY DAYS**, with the requirement that he comply with the conditions of probation in his discipline imposed in Arizona. The suspension will take effect on issuance of an "Order and Notice of Suspension."<sup>1</sup>
2. Respondent **MUST** timely comply with C.R.C.P. 242.32(b)-(e), concerning winding up of affairs, notice to current clients, duties owed in litigation matters, and notice to other jurisdictions where respondent is licensed or otherwise authorized to practice law.
3. Within fourteen days after issuance of the "Order and Notice of Suspension," Respondent **MUST** file an affidavit with the Court under C.R.C.P. 242.32(f), attesting to his compliance with C.R.C.P. 242.32. As provided in C.R.C.P. 242.41(b)(5), lists of pending matters, lists of clients, and copies of client notices under C.R.C.P. 242.32(f) must be marked as confidential attachments and filed as separate documents from the affidavit.
4. Any posthearing motion **MUST** be filed **no later than Thursday, July 25, 2024**. Any response thereto **MUST** be filed within seven days of the motion.
5. Any motion for stay pending appeal under C.R.C.P. 242.35 **MUST** be filed **on or before the date on which the notice of appeal is due**.
6. Respondent **MUST** pay the administrative fee of \$224.00 and all costs of this proceeding. The People **MUST** file a statement of fees, costs, and restitution **no later than Thursday, July 25, 2024**. Any response thereto **MUST** be filed within seven days of the statement.



DATED THIS 11th DAY OF JULY, 2024.

A handwritten signature in blue ink, appearing to read "Bryon M. Large".

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BRYON M. LARGE  
PRESIDING DISCIPLINARY JUDGE

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<sup>1</sup> In general, an order and notice of sanction will issue thirty-five days after the date of a disciplinary order. *See* C.R.C.P. 242.31(a)(6). In some instances, the order and notice may issue later than thirty-five days by operation of C.R.C.P. 242.34, C.R.C.P. 242.35, or other applicable rules.