

*People v. McMenemy*, No.02PDJ051. 11.19.02. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Paul X. McMenemy, attorney registration number 16407 from the practice of law in the State of Colorado for a period of one year and one day, ten months and one day stayed (sixty-day suspension) during an eighteen-month period of probation subject to conditions. In one matter, respondent represented a client in connection with a personal injury matter. Respondent failed to take steps on behalf of the client to establish the client's claim, failed to adequately communicate with the client, and failed to commence the action within the applicable statute of limitations. Eventually respondent filed a complaint on behalf of the client, which was later dismissed by the court based on respondent's failure to prosecute. Respondent did not inform the client that the case had been dismissed. Following the client's filing a request for investigation with the Office of Attorney Regulation Counsel, respondent recklessly represented to the client that the file contained a letter indicating that the complaint had been sent to the court for filing six months prior to its actual filing date. The respondent did not further investigate whether the date of the letter was correct, and did not inform the client that the filing date indicated the complaint had been filed six months later. Additionally, respondent contracted with a court reporting service to transcribe depositions, and delayed eleven months in paying the reporters' invoices, tendering payment only after a request for investigation had been filed with the Office of Attorney Regulation Counsel. Respondent was ordered to pay the costs of the proceeding.