

People v. Donald S. Perlmutter. 17PDJ058. August 16, 2017.

The Presiding Disciplinary Judge approved the parties' conditional admission of misconduct and disbarred Donald S. Perlmutter (attorney registration number 00025), effective August 16, 2017.

Perlmutter had a longstanding attorney-client relationship with a debt collection firm. In July 2010, that firm asked him to assist in collecting a debt of approximately \$44,000.00. Perlmutter filed a collections action in the matter. In December 2010, acting on authority granted by the client, Perlmutter settled the matter for \$15,000.00 and stipulated to dismissal of the collections action.

That same month, Perlmutter received \$15,000.00 from the debtor. Perlmutter knowingly converted his client's portion of that payment by treating the funds as his own. He did not inform his client that he had received the payment. In fact, he gave the client no updates until 2012, when he intentionally led the client to believe that the matter had not settled. Perlmutter also falsely informed the client that he was engaged in discussions with opposing counsel, filing motions, and setting trial dates.

In this matter, Perlmutter violated Colo. RPC 1.4(a) (a lawyer shall reasonably communicate with the client); Colo. RPC 1.4(b) (a lawyer shall explain a matter so as to permit the client to make informed decisions regarding the representation); Colo. RPC 3.3(a)(1) (a lawyer shall not knowingly make a false statement of material fact or law to a tribunal); and Colo. RPC 8.4(c) (a lawyer shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation).