

DISCIPLINARY ACTION

PRIVATE ADMONITION. Supreme Court File No. 213, 2019 Effective Date: July 9, 2019

On July 9, 2019, the Delaware Supreme Court ordered Respondent be privately admonished for violations of Rules 1.8(a), (d), (e) and (i) of the Delaware Lawyers' Rules of Professional Conduct ("Rules"). The Court approved the Report and Recommendation of Sanctions of the Board on Professional Responsibility. The Board's Report concluded Respondent had violated:

- Rule 1.8(a) when the lawyer entered into a business transaction with the client and failed to obtain the client's informed consent which consists of a separate writing signed by the client containing the essential terms of the transaction, the lawyer's role in the transaction and a statement as to whether the lawyer was representing the client in the transaction;
- Rule 1.8(d) by negotiating an agreement giving the lawyer literary or media rights to a portrayal or account based in substantial part on information relating to the representation of the client;
- Rule 1.8(e) by providing financial assistance to a client in connection with pending litigation; and
- Rule 1.8(i) by acquiring a proprietary interest in the client's litigation.

In recommending the Private Admonition, the Board considered as mitigating factors absence of prior discipline, full and free disclosure, character and reputation, imposition of other penalties, and remorse.