25-1447

SUPREME COURT, STATE OF COLORADO ORIGINAL PROCEEDING IN DISCIPLINE BEFORE THE PRESIDING DISCIPLINARY JUDGE 1300 Broadway, Suite 250 Denver, Colorado 80203	**FILED** May 30, 2025 Presiding Disciplinary Judge Colorado Supreme Court
Complainant: THE PEOPLE OF THE STATE OF COLORADO Respondent: WILLIAM GIBSON DORNAN IV, # 35470	▲COURT USE ONLY▲ Case Number: 25PDJ40
Jacob M. Vos, #41562 First Assistant Regulation Counsel Attorneys for Complainant 1300 Broadway, Suite 500 Denver, Colorado 80203 Telephone: (303) 457-5800 Email: j.vos@csc.state.co.us Robert W. Steinmetz, # 34660 Respondent's Counsel 4700 S Syracuse St Ste 200 Denver, CO 80237 Email: rsteinmetz@mvp-legal.com	

STIPULATION TO DISCIPLINE PURSUANT TO C.R.C.P. 242.19

On this 30th day of May, 2025, Jacob M. Vos, First Assistant Regulation Counsel and attorney for the Complainant, and William Gibson Dornan IV, the Respondent who is represented by attorney Robert W. Steinmetz in these proceedings, enter into the following Stipulation to Discipline pursuant to C.R.C.P. 242.19 ("Stipulation") and submit the same to the Presiding Disciplinary Judge for his consideration.

RECOMMENDATION: Public Censure

1. Respondent has taken and subscribed to the oath of admission, was admitted to the bar of this Court on May 24, 2004, and is registered as an attorney upon the official records of this Court, registration no. 35470. Respondent is subject to the jurisdiction of this Court and the Presiding Disciplinary Judge in these proceedings.

2. Respondent enters into this Stipulation freely and voluntarily. It is Respondent's personal decision, and Respondent affirms there has been no coercion or other intimidating acts by any person or agency concerning this matter.

FILED

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CLERK OF COURT
SUPREME COURT OF OHIO

3. This matter has not become public under the operation of C.R.C.P. 242.41 as amended. However, Respondent specifically acknowledges that, if the Presiding Disciplinary Judge should decide to accept this Stipulation, and impose the agreed-to discipline contained herein, then this Stipulation and the discipline imposed will be matters of public record. *See* C.R.C.P. 242.41(a)(2).

4. Respondent is familiar with the rules of the Colorado Supreme Court regarding the procedure for discipline of attorneys and with the rights provided by those rules. Respondent acknowledges the right to a full and complete evidentiary hearing on the above-referenced complaint. At any such hearing, Respondent would have the right to be represented by counsel, present evidence, call witnesses, and cross-examine the witnesses presented by Complainant. At any such formal hearing, Complainant would have the burden of proof and would be required to prove the charges contained in the complaint with clear and convincing evidence. Nonetheless, having full knowledge of the right to such a formal hearing, Respondent waives that right.

5. Respondent and Complainant specifically waive the right to a hearing pursuant to C.R.C.P. 242.30.

6. Respondent and Complainant stipulate to the following facts and conclusions:

a. "B.B." and "R.B." are the sons of "J.B."

b. In 2010, J.B. executed estate planning documents that included a will and the creation of a revocable trust.

c. In 2017 a trust was created for R.B., who was suffering from neurological issues.

d. R.B. moved into J.B.'s home in October 2019 due to J.B.'s health issues.

e. In February 2021, J.B. suffered from a pair of falls and was hospitalized.

f. J.B. retained an attorney to amend his estate documents in late February 2021. When R.B. also wanted to retain her to amend his trust, she referred R.B. to Respondent.

g. On March 19, 2021, R.B. retained Respondent for the purpose of taking control of his trust.

h. On March 25, 2021, R.B. signed an engagement and fee agreement with Respondent. Involving a $2,500 retainer, Respondent agreed to represent R.B. with respect to his trust.

i. On April 28, 2021, with his attorney's assistance, J.B. executed the First Codicil to his will. It appointed R.B. as the personal representative. It specifically excluded B.B. from any possessions within the scope of the will.

j. J.B. also executed the Third Amendment to his own trust, which limited B.B.'s inheritance.

k. On May 4, 2021, Respondent issued a letter to the attorney who had represented B.B. as Trustee of R.B.'s Trust, notifying her of B.B.'s removal as trustee of R.B.'s trust.

l. R.B. accepted the trusteeship of his own trust on June 14, 2021.

m. In a June 21, 2021 email, R.B. requested J.B.'s attorney and Respondent work to develop an approach to bypass probate for J.B.'s house, which was part of his estate.

n. On July 19, 2021, R.B. asked Respondent to represent R.B. and J.B. for the purpose of "amending or eliminating his (J.B.'s) revocable trust" and creating a beneficiary deed for the house.

o. J.B. terminated his attorney's representation on July 20, 2021.

p. Respondent issued J.B. an engagement agreement for legal services related to estate planning on July 30, 2021.

q. J.B. signed Respondent's engagement agreement on August 1, 2021. Respondent did not obtain informed consent, at this point or any other, from either J.B. or R.B. related to any conflicts that could arise out of the dual representation.

r. Respondent understood that J.B. sought to simplify his estate plan and wanted R.B. to receive the home (subject to the existing lien) upon J.B.'s death, including the personal property therein, and that any remaining assets were be split among his other children, excluding B.B.

s. On August 12, R.B. emailed Respondent asking to confirm that he and a notary would be seeing J.B. at the rehabilitation facility in which he was residing to sign the Beneficiary Deed. Because the facility's COVID restrictions permitted only two visitors at a time, R.B. stated he would remain in the car while his dad signed the Deed. Respondent confirmed he would be there.

t. On August 13, 2021, R.B. and Respondent went to see J.B. at the rehabilitation center. Due to the existing COVID restrictions, R.B. waited in the parking lot while Respondent and a notary visited J.B. to have him sign a Beneficiary Deed in favor of R.B. This granted J.B.'s house to R.B. upon his death.

u. On August 21, 2021, S.B. (another brother of B.B.'s) and B.B. visited J.B. at the rehabilitation center. J.B. signed a document revoking R.B.'s Power of Attorney ("POA") over him.

v. An employee of the rehabilitation center called B.B. on August 24, 2021. She said that J.B. told her he now wanted to go home with R.B., who visited him that day. She noted J.B. told her often that he did not want to return home with R.B. She also passed this information on to the Department of Adult Protective Services ("APS"), requesting an investigation.

w. APS reopened a case with J.B. on August 25, 2021. The APS investigator called B.B. and said she would visit J.B. before they discharged him and felt strongly that he should not return home with R.B. She wanted to speak to J.B. without R.B. present.

x. B.B. later received a call from the rehabilitation center notifying him that J.B. was discharged and R.B. took him home.

y. On August 26, 2021, B.B. emailed Respondent notifying him of the video of their meeting with J.B. signing the POA Revocation. He attached the POA Revocation. Respondent did not respond to this email.

z. On August 26 and 27, 2021, R.B. and Respondent exchanged emails questioning the legitimacy of J.B.'s signature on the POA Revocation. R.B. threatened to "contact the authorities" and claimed it is "the second forged document B.B. has passed our way."

aa. On August 28, 2021, J.B. was transferred to Life Care Center at Stonegate following a fall at home and a subsequent hospitalization.

bb. The APS investigator contacted Respondent about the concerns raised regarding R.B.'s ability to provide the necessary level of care for J.B. R.B. asked Respondent to represent him regarding the APS investigation.

cc. On September 14, 2021, an attorney from Respondent's firm and R.B. executed an engagement letter regarding the APS investigation. It read in pertinent part –

> It is our understanding that the scope of our representation involves full representation, research, and trial preparation regarding this matter, plus advice and counsel related thereto.

dd. The staff at Stonegate conducted a meeting with J.B., R.B., and an attorney from Respondent's firm on September 15, 2021. They met to discuss J.B.'s ongoing care. The APS investigator and B.B. listened in on a conference bridge. The therapeutic staff said J.B. required a wheelchair and adaptations to permit him to live in his home. These would be expensive. In addition, he would require round-the-clock nursing assistance at home. A skilled care facility, such as Stonegate, would be half as expensive but still costly. They also discussed the financial requirements for Medicaid assistance.

ee. On September 16, 2021, R.B. emailed Respondent suggesting he have J.B. sign a new power of attorney document granting R.B. a full power of attorney for J.B. R.B. said, "I will not attend so it does not appear as if I am orchestrating things." He also suggested that Respondent not to be forthcoming with reception about the purpose of his visit. R.B. and another attorney at Respondent's firm exchanged emails regarding possible facilities for J.B. to transfer to.

ff. On September 17, 2021, Respondent informed R.B. that he was anticipating Respondent and at least one colleague would visit J.B. in Stonegate on September 21, 2021 for him to sign new durable and medical POA documents. Respondent expressed his belief that if J.B. applied for Medicaid, J.B. may have to revoke the Beneficiary Deed and recommended consultation with a Medicaid expert.

gg. On October 1, 2021, J.B. was admitted to Orchard Park and APS closed its investigation without taking further action.

hh. On October 8, 2021, Respondent, another attorney from his firm and a paralegal (notary) visited J.B. at Orchard Park. After Respondent and his colleague both confirmed J.B.'s testamentary capacity, J.B. signed the Advanced Medical Directive pertaining to his Living Will, and he also signed a General Durable Power of Attorney appointing R.B. as his attorney in fact.

ii. In October and early November 2021, Respondent had numerous meetings with J.B. where J.B. expressed his desire to split his financial assets among his children. Respondent took steps to change the beneficiary designations on a number of J.B.'s accounts.

jj. On November 11, 2021, Respondent had a conversation with R.B. about J.B.'s estate plan. R.B. was under the impression that J.B. wanted all of his assets to go to R.B., and R.B. said he would talk with his dad.

kk. On November 16, 2021, Respondent had a call with J.B. During the call, J.B. said he wanted his assets to go to R.B., which was significantly different than what he had been telling Respondent for months.

ll. Respondent became concerned that R.B. was unduly influencing J.B.'s decision making. He began researching his ethical duties.

mm. R.B. fired Respondent on his own behalf and on J.B.'s behalf via email on December 9, 2021. Respondent understood R.B. to have the power to terminate J.B.'s attorney-client relationship pursuant to the Power of Attorney that J.B. executed on October 8, 2021. Respondent never confirmed the termination with J.B.

nn. On December 10, 2021, Respondent issued a confirmation of termination of services along with an exhibit that consisted of Respondent responses to R.B. regarding R.B.'s complaint of excessive fees based on unnecessary activities in revising J.B.'s estate. The termination letter also noted that R.B.'s matters regarding his own trust and the APS investigation had already concluded.

oo. The law firm made a report to APS regarding R.B.'s potential financial exploitation of J.B. in late December 2021.

pp. J.B. died on January 5, 2022, and the APS investigation was closed shortly thereafter. R.B. later died in February 2023.

qq. Through Respondent's conduct described above, Respondent has engaged in conduct constituting grounds for the imposition of discipline pursuant to C.R.C.P. 242.9. Respondent has also violated Colo. RPC 1.7(a)(2) (conflicts of interest) when he undertook the representation of R.B. with respect to the APS investigation while representing J.B. with respect to his estate planning.

7. Pursuant to C.R.C.P. 242.19(b)(4), Respondent agrees to pay costs in the amount of $224.00 (a copy of the statement of costs is attached as Exhibit 1) incurred in conjunction with this matter within thirty-five (35) days after acceptance of the Stipulation by the Presiding Disciplinary Judge, made payable to Colorado Supreme Court Attorney Regulation Offices.

Respondent agrees that statutory interest shall accrue from thirty-five (35) days after the Presiding Disciplinary Judge accepts this Stipulation. Should Respondent fail to make payment of the aforementioned costs within thirty-five (35) days, Respondent specifically agrees to be responsible for all additional costs and expenses, such as reasonable attorney fees and costs of collection incurred by Complainant in collecting the above stated amount. Complainant may amend the amount of the judgment for the additional costs and expenses by providing a motion and bill of costs to the Presiding Disciplinary Judge, which identifies this paragraph of the Stipulation and Respondent's default on the payment.

8. This Stipulation represents a settlement and compromise of the specific claims and defenses pled by the parties, and it shall have no meaning or effect in any other lawyer regulation case involving another respondent attorney.

9. This Stipulation is premised and conditioned upon acceptance of the same by the Presiding Disciplinary Judge. If for any reason the Stipulation is not accepted without changes or modification, then the admissions, confessions, and Stipulations made by Respondent will be of no effect. Either party will have the opportunity to accept or reject any modification. If either party rejects the modification, then the parties shall be entitled to a full evidentiary hearing; and no confession, Stipulation, or other statement made by Respondent in conjunction with this offer to accept discipline of a public censure may be subsequently used. If the Stipulation is rejected, then the matter will be heard and considered pursuant to C.R.C.P. 242.30.

10. The parties have agreed that Respondent does not owe any restitution as a component of this stipulated resolution.

11. The Office of Attorney Regulation Counsel will notify the complaining witness in this matter of its disposition shortly after the Presiding Disciplinary Judge accepts this agreement.

PRIOR DISCIPLINE

12. None.

ANALYSIS OF DISCIPLINE

13. The American Bar Association *Standards for Imposing Lawyer Sanctions* (1991 and Supp. 1992) ("ABA *Standards*") are recognized by the Colorado Supreme Court as the guiding authority for selecting the appropriate sanction to impose for lawyer misconduct. *See In re Roose*, 69 P.3d 43, 46-47 (Colo. 2003) (citing *In re Attorney D*, 57 P.3d 395, 399 (Colo. 2002)). As the Colorado Supreme Court has stated,

> The ABA *Standards* were created as a model system of sanctions, designed to achieve greater consistency in the sanctioning of attorney misconduct while at the same time leaving room for 'flexibility and creativity in assigning sanctions in particular cases of lawyer misconduct.' (citing ABA *Standards*, Preface (2005)). Flexibility and discretion are built into the ABA *Standards'* two-step framework for determining the appropriate sanction. See ABA *Standards*, Theoretical Framework; ABA Standard 3.0 & cmt... [T]his framework is 'not designed to propose a specific sanction for each of the myriad of fact patterns in cases of lawyer misconduct,' but rather is designed to 'give courts the flexibility

> to select the appropriate sanction in each particular case.' (citing ABA *Standards*, Theoretical Framework).

Matter of Attorney F, 285 P.3d 322, 326 (Colo. 2012); *see also* ABA *Standard* 1.3 cmt. ("While these standards set forth a comprehensive model to be used in imposing sanctions, they also recognize that sanctions imposed must reflect the circumstances of each individual lawyer, and therefore provide for consideration of aggravating and mitigating circumstances in each case.").

14. The Court has also stated, "individual circumstances make extremely problematic any meaningful comparison of discipline ultimately imposed in different cases." *In re Rosen,* 198 P.3d 116, 121 (Colo. 2008).

15. Pursuant to ABA *Standards* §3.0, the Court should consider the following factors generally:

a. The duty violated: the duty of loyalty.

b. The lawyer's mental state: knowing.

c. The actual or potential injury caused by the lawyer's misconduct: Respondent's misconduct caused little in the way of substantive harm to either client's legal rights. It did cause some harm or potential harm to the relationship between J.B., Respondent, and R.B., potentially emboldening R.B. in his attempts to influence both J.B. and Respondent with respect to J.B.'s estate plan.

16. Pursuant to ABA *Standard* § 4.32, "suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict, and causes injury or potential injury to a client."

17. This matter also presents the following aggravating and mitigating factors:

ABA *Standards* § 9.22 aggravating factors include:

(h) vulnerability of victim: J.B. suffered from a variety of health issues during the course of the representation and was a vulnerable victim. This factor should be afforded average weight.

(i) substantial experience in the practice of law: Respondent was licensed in 2004. This factor should be afforded average weight.

ABA *Standards* § 9.32 mitigating factors include:

(a) absence of a prior disciplinary record: Respondent has no prior discipline. This factor should be afforded average weight.

(b) absence of a dishonest or selfish motive: Respondent's conduct did not include an element of dishonesty, and the evidence does not reflect that any of his misconduct was selfishly motivated. This factor should be afforded average weight.

(d) timely good faith effort to make restitution or to rectify consequences of misconduct: Once R.B.'s attempts to unduly influence J.B.'s estate plan became apparent, Respondent held off on preparing any additional documents, researched his ethical obligations, and ultimately contacted APS. This factor should be afforded greater than average weight.

(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings: Respondent has been fully cooperative throughout these proceedings. This factor should be afforded average weight.

(g) character and reputation. Respondent has a strong reputation in the Colorado trust and estate law community. This factor should be afforded average weight.

(l) remorse: Respondent takes responsibility for his conduct and is remorseful for it. This factor should be afforded average weight.

18. Conflicts cases are necessarily fact-specific, and no Colorado conflicts cases are quite on-point. A number of somewhat analogous conflicts cases also involve serious additional violations like conversion or misrepresentations. *See, e.g., People v. Cozier*, 74 P.3d 531 (Colo. O.P.D.J. 2003) (disbarment for knowing conversion, conflicts, misrepresentations); *People v. Vigil*, 929 P.2d 1311 (Colo. 1996) (disbarment for conflicts and a variety of other issues). *In re Cohen*, 8 P.3d 429, 430 (Colo. 1999), involved a 90-day suspension for conflicts arising out of the administration of a spendthrift trust that involved the issuance of promissory notes to another client of Cohen's. It is more aggravated than this matter, both in terms of the conduct at-issue and the resultant harm. Likewise, in *People v. Miller*, 354 P.3d 1136 (Colo. O.P.D.J. 2015), Miller advised a client on two transactions in which he was also an interested party. His representation also involved deceit, so it was more aggravated both in terms of misconduct and harm. He was suspended for six months. *People v. Gebauer*, 821 P.2d 782 (Colo. 1991), involved Gebauer's simultaneous representation of two estates after conflicts developed among and between the estates' beneficiaries. It resulted in a public censure, and while the decision is not entirely clear, it seems to apply a negligent mental state.

19. While it was a stipulation rather than a disciplinary decision, *In re Peppard*, 291 Neb. 948 (Neb. Oct. 2, 2015), is on-point. In that case the testator began showing signs of dementia in 2009. Peppard represented the Testator in guardianship proceedings in 2010. Peppard drafted a will for Testator in 2011, in which Testator left her entire estate to Heir. A state agency was investigating whether Heir was taking advantage of Testator. Peppard represented Heir in that matter. Peppard was publicly censured.

20. In *In re Long*, 902 A.2d 1168, 1170 (D.C. 2006), Long drafted Ms. Lowery's Will. APS investigated whether Lowery's caretaker, Harris, was taking advantage of her. Harris hired Long, who drafted a POA in Harris' favor over Lowery. Long later withdrew and loaned Harris money to engage other counsel. Long was suspended for 30 days. *Long* was more aggravated than

this matter since the APS investigation at-issue there was focused on whether Harris was financially exploiting Lowrey. Here, the APS investigation was focused on J.B.'s living situation, which is why it was closed once J.B. was admitted into a care facility.

21. Here, Respondent's conflicted representation of R.B. only lasted two weeks, from September 14, 2021 to October 1, 2021, and the direct harm flowing from the conflicted representation was limited and did not impact the substantive legal rights of either R.B. or J.B. The mitigating factors significantly outweigh the aggravating factors, and once R.B.'s influence over J.B. became apparent to Respondent, Respondent took appropriate action to alert APS. Considering all of the factors described above, as applied to this case, public censure is an appropriate sanction.

RECOMMENDATION FOR AND CONSENT TO DISCIPLINE

Based on the foregoing, the parties hereto recommend that a public censure be imposed upon Respondent. Respondent consents to the imposition of discipline of a public censure. The parties request that the Presiding Disciplinary Judge order that the effective date of such discipline be immediate.

William Gibson Doman IV, Respondent; Robert W. Steinmetz, attorney for Respondent; and Jacob M. Vos, attorney for the Complainant, acknowledge by signing this document that they have read and reviewed the above and request the Presiding Disciplinary Judge to accept the Stipulation as set forth above.

William Gibson Doman IV
3801 E Florida Avenue, Suite 600
Denver, CO 80210
Telephone: (303)759-5937
Respondent

STATE OF COLORADO)
)ss:
COUNTY OF DENVER)

Subscribed and sworn to before me this 30 day of May, 2025, by William Gibson Doman IV, the Respondent.

Witness my hand and official seal.

My commission expires: 11/22/26

Notary Public

BRANDON SCOTT RICH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224044541
MY COMMISSION EXPIRES NOVEMBER 22, 2026

Jacob M. Vos, #41562
Assistant Regulation Counsel
1300 Broadway, Suite 500
Denver, CO 80203
Telephone: (303) 928-7811
Attorney for the Complainant

Robert W. Steinmetz, #34660
4700 S Syracuse St Ste 200
Denver, CO 80237
Attorney for the Respondent

Statement of Costs

William Dornan
24-353

5/19/2025	**Administrative Fee**	**$**	**224.00**
	AMOUNT DUE	**$**	**224.00**

Exhibit 1

SUPREME COURT, STATE OF COLORADO
ORIGINAL PROCEEDING IN DISCIPLINE BEFORE
THE OFFICE OF THE PRESIDING DISCIPLINARY JUDGE
1300 BROADWAY, SUITE 250
DENVER, CO 80203

Complainant:
THE PEOPLE OF THE STATE OF COLORADO

Respondent:
WILLIAM GIBSON DORNAN IV, #35470

Case Number:
25PDJ40

ORDER APPROVING STIPULATION TO DISCIPLINE UNDER C.R.C.P. 242.19(c)

Before the Presiding Disciplinary Judge ("the Court") is a "Stipulation to Discipline Pursuant to C.R.C.P. 242.19" filed on May 30, 2025, by Jacob M. Vos, Office of Attorney Regulation Counsel ("the People"), and Robert W. Steinmetz, counsel for William Gibson Dornan IV ("Respondent"). In the stipulation, the parties waive their right to a hearing.

Under C.R.C.P. 242.19(c), the Court may either approve or reject the parties' stipulation, using discretion and in accordance with the considerations governing imposition of disciplinary sanctions. The Court has reviewed the stipulation in this case and finds that the parties' agreement as to the facts, rule violations, applicable mitigating and aggravating factors, and sanction warrants the Court's favorable exercise of discretion to approve the agreement in the interests of justice. The Court therefore **APPROVES** the stipulation and **ORDERS**:

1. **WILLIAM GIBSON DORNAN IV**, attorney registration number **35470**, is **PUBLICLY CENSURED**.

2. Respondent violated Colo. RPC 1.7(a)(2).

3. Within thirty-five days of the date of this order, Respondent **MUST** pay the administrative fee of $224.00. Statutory interest will begin to accrue thirty-five days from the date of this order. The administrative fee is payable to the Office of Attorney Regulation Counsel.

THIS ORDER IS ENTERED THE 6th DAY OF JUNE, 2025. THE EFFECTIVE DATE OF THE PUBLIC CENSURE IS THE 6th DAY OF JUNE, 2025.

DATED THIS 6th DAY OF JUNE, 2025.

BRYON M. LARGE
PRESIDING DISCIPLINARY JUDGE

Respondent's Counsel
Robert W. Steinmetz
4700 South Syracuse Street, Suite 200
Denver, CO 80237
rsteinmetz@mvp-legal.com **Via Email**

Office of Attorney Regulation Counsel
Jacob M. Vos
1300 Broadway, Suite 500
Denver, CO 80203
j.vos@csc.state.co.us **Via Email**

American Bar Association
c/o Kevin Hanks
Office of Attorney Regulation Counsel
1300 Broadway, Suite 500
Denver, CO 80203
k.hanks@csc.state.co.us **Via Email**

Board of Continuing Legal Education and Colorado Attorney Registration
Elvia Mondragon
Office of Attorney Registration
1300 Broadway, Suite 510
Denver, CO 80203
e.mondragon@csc.state.co.us **Via Email**

Colorado Bar Association
Nicoal Sperrazza, Executive Director
Marissa Lobato, Membership Manager
1290 Broadway, 17th Floor
Denver, CO 80203
nsperrazza@cobar.org
mlobato@cobar.org **Via Email**

Colorado Supreme Court
Cheryl Stevens
2 East 14th Avenue
Denver, CO 80203
cheryl.stevens@judicial.state.co.us **Via Email**

IRS, Office of Professional Responsibility
Kathy Gibbs
SE: OPR, 1111, Constitutional Ave., N.W.
Washington, DC 20224
kathy.a.gibbs@irs.gov **Via Email**

Martindale-Hubbell
Attn: Editorial Dept.
121 Chanlon Road, Suite 110
New Providence, NJ 07974
disciplinaryaction@lexisnexis.com **Via Email**

Supreme Court of the United States
Perry Thompson, Admissions Office
1 First Street Northeast
Washington, D.C. 20543
pthompson@supremecourt.gov
ptadmit@supremecourt.gov **Via Email**

United States Bankruptcy Court
Laura Guice
721 19th Street, Room 117
Denver, CO 80202-2508
laura_guice@cob.uscourts.gov
cobml_training@cob.uscourts.gov **Via Email**

United States Court of Appeals for the Tenth Circuit
Byron White United States Courthouse
1823 Stout Street
Denver, CO 80257
disciplinaryorders@ca10.uscourts.gov **Via Email**

United States District Court, District of Colorado
Alfred A. Arraj U.S. Courthouse
Zoe Cothran
901 19th Street, Room A-105
Denver, CO 80294-3589
zoe_cothran@cod.uscourts.gov
amelia_dubois@cod.uscourts.gov
ashley_sheehan@cod.uscourts.gov **Via Email**

United States Department of Justice, Executive Office for Immigration Review
Office of the General Counsel
Allison Minor, Disciplinary Counsel
5107 Leesburg Pike, Suite 2600
Falls Church, VA 22041
lea.minor@usdoj.gov **Via Email**

United States Department of Justice, Trustee's Office
Gregory Garvin, Assistant U.S. Trustee
999 18th Street, Suite 1551
Denver, CO 80202
gregory.garvin@usdoj.gov **Via Email**