

LOUISIANA ATTORNEY DISCIPLINARY BOARD

IN RE: KEVIN MICHAEL STEEL

DOCKET NO.: 17-DB-018 c/w 18-DB-056 c/w 19-DB-077

RECOMMENDATION TO THE LOUISIANA SUPREME COURT

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INTRODUCTION

This attorney disciplinary matter arises out of formal charges filed by the Office of Disciplinary Counsel (“ODC”) against Kevin Michael Steel (“Respondent”).¹ Three cases which have been consolidated (case numbers 17-DB-018, 18-DB-056 and 19-DB-077) are before the Board for determination. In case number 17-DB-018, ODC alleges that Respondent violated Rules of Professional Conduct 1.3 (diligence); 1.4(a)(3) (communication – failing to keep a client reasonably informed about the status of the matter); 1.5(f)(5) (fees – failing to return an unearned portion of a fixed fee); 8.1(a) (knowingly making a false statement of material fact in connection with a disciplinary matter); 8.4(a) (violating or attempting to violate the Rules of Professional Conduct); and 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit or misrepresentation).

In case number 18-DB-056, ODC alleges that Respondent violated Rules of Professional Conduct 1.3; 1.4(a)(3); 1.8(a) (entering into a prohibited business transaction with a client); 1.15(d) (failing to safeguard property of a third person); 8.1(c) (failing to cooperate with ODC in connection with a disciplinary matter); 8.4(a); 8.4(c); and 8.4(d) (engaging in conduct prejudicial to the administration of justice).

¹ Respondent was admitted to the Louisiana Bar on April 23, 1999. The Board’s records show Respondent’s primary registration address to be 620 Derbigny St., Gretna, LA 70053, and his secondary registration address to be 620½ Derbigny St., Gretna, LA 70056. Respondent is currently intermly suspended from the practice of law. *See In re Steel*, 2024-00481 (La. 4/24/24), 383 So.3d 909.

In case number 19-DB-077, ODC alleges that Respondent violated Rules of Professional Conduct 1.3; 1.4; 1.5(f)(5); 8.4(k) [sic]² (failing to obtain a client's consent to settle and obtaining an improper power of attorney authorizing him to settle a matter); 1.15(d); 8.1(a); 1.8(c) [sic];³ 8.4(a); 8.4(c); and 8.4(d).

PROCEDURAL HISTORY

Case Number 17-DB-018

Formal charges were filed in case number 17-DB-018 on April 24, 2017. Because the Respondent failed to answer the charges, ODC filed a Motion to Declare Factual Allegations Deemed Proven, and Scheduling Written Arguments on August 4, 2017, pursuant to Rule XIX, Section 11(E)(3). On August 22, 2017, the hearing committee chair signed an order directing that the factual allegations contained in the formal charges be deemed admitted and proven by clear and convincing evidence, that the order be served upon Respondent as per Rule XIX, Section 13(C), and that Respondent be given twenty days from the mailing of the order to demonstrate good cause why the imposition of the order would be improper or would result in a miscarriage of justice. On September 12, 2017, Respondent filed a two-sentence Motion to Recall Order and Request to be Heard in Mitigation with no supporting memorandum. On the same date, Respondent was ordered to submit a memorandum no later than September 28, 2017, offering the factual basis, along with documentary evidence and argument, demonstrating good cause for recalling the committee's order of August 22, 2017. Respondent filed nothing in response to the September 12, 2017 order. On March 28, 2018, ODC filed its submission on sanctions in which it argued that Respondent should be suspended for one year and one day. On May 10, 2018, the hearing committee issued its report, recommending that Respondent be suspended for a year and

² This appears to be a typographical error, and the rule violation should instead read 1.8(k).

³ This appears to be a typographical error, and the rule violation should instead read 8.1(c).

a day, make full restitution of all unearned fees and funds to Complainant, and be cast will all costs and expenses of this disciplinary proceeding.

ODC filed a Notice of No Objection to the hearing committee's report on May 11, 2018. The matter was originally scheduled for oral argument before the Disciplinary Board on August 9, 2018. On July 10, 2018, Respondent filed a Motion to Continue the Board Panel Argument and Allow Him Sixty Days to Obtain Counsel and Respond. On July 17, 2018, an order was signed rescheduling the argument for September 20, 2018, and setting a deadline of August 21, 2018 for Respondent to file his response and/or initial brief. No counsel appeared for Respondent in this proceeding, and Respondent filed nothing for the Board's consideration.

Oral argument in this matter was held on September 20, 2018, before Panel "A" of the Board. Former Deputy Disciplinary Counsel Tammy P. Northrup appeared on behalf of ODC. Respondent did not appear. On November 30, 2018, the Board recommended that Respondent be suspended from the practice of law for one year and one day and that he be ordered to pay restitution to Ms. Donna Begovich in the amount of \$1,000.00. On November 30, 2018, the Board lodged the record of this matter with the Louisiana Supreme Court ("Court"). On January 2, 2019, ODC filed a Motion to Remand the matter to the Board so it could be consolidated with case number 18-DB-056. On January 14, 2019, the Court remanded the proceedings to the Board for consolidation with the proceedings in case number 18-DB-056. In the order, the Court directed the Board to issue a single recommendation of discipline to the Court encompassing all disciplinary matters involving Respondent.

Case Number 18-DB-056

In case number 18-DB-056, formal charges were filed on August 16, 2018. Because Respondent failed to answer the charges, ODC filed its Motion to Declare Factual Allegations

Deemed Proven, and Scheduling Written Arguments on September 17, 2019, pursuant to Rule XIX, Section 11(E)(3). On September 24, 2019, the hearing committee chair ordered the factual allegations contained in the formal charges deemed admitted and proven by clear and convincing evidence. In accordance with Rule XIX, Section 13(C), notice was sent to Respondent giving him twenty days from September 24, 2019, to file a motion to recall the order and/or request to be heard in mitigation. Respondent filed nothing in response to the order. On April 22, 2020, ODC filed Disciplinary Counsel's Documentary Evidence and Written Argument in both case numbers 18-DB-056 and 19-DB-077. On April 24, 2020, ODC filed a Motion to Consolidate case numbers 18-DB-056 and 19-DB-077, which was granted on April 27, 2020. On June 18, 2020, Hearing Committee No. 6 issued its report in case number 18-DB-056 c/w 19-DB-077 in which it recommended permanent disbarment. Respondent filed an Objection to Report of Hearing Committee and Request for Appeal on July 7, 2020.

Case Number 19-DB-077

In case number 19-DB-077, formal charges were filed on October 24, 2019. Because Respondent failed to answer the charges, ODC filed its Motion to Declare Factual Allegations Deemed Proven, and Scheduling Written Arguments on January 23, 2020, pursuant to Rule XIX, Section 11(E)(3). On February 4, 2020, the hearing committee chair ordered the factual allegations contained in the formal charges deemed admitted and proven by clear and convincing evidence. In accordance with Rule XIX, Section 13(C), notice was sent to Respondent giving him twenty days from February 5, 2020, to file a motion to recall the order and/or request to be heard in mitigation. Respondent filed nothing in response to the order.

On April 22, 2020, ODC filed Disciplinary Counsel's Documentary Evidence and Written Argument in both case numbers 18-DB-056 and 19-DB-077. On April 24, 2020, ODC filed a

Motion to Consolidate case numbers 18-DB-056 and 19-DB-077, which was granted on April 27, 2020. On June 18, 2020, Hearing Committee No. 6 issued its report in case number 18-DB-056 c/w 19-DB-077 in which it recommended permanent disbarment. Respondent filed an Objection to Report of Hearing Committee and Request for Appeal on July 7, 2020.

**Post-Consolidation Proceedings in Consolidated Case Number 17-DB-018 c/w 18-DB-056
c/w 19-DB-077**

On July 13, 2020, ODC filed a motion to consolidate case number 17-DB-018 with case number 18-DB-056 c/w 19-DB-077. On the same date, the Board ordered that the matters be consolidated and presented to a Board panel for the issuance of a single recommendation to the Court.

On July 14, 2020, oral argument was set in the consolidated matter for October 1, 2020. ODC's Initial Brief was filed on September 1, 2020. On September 25, 2020, a Motion to Enroll as Counsel of Record for Respondent was filed by Anna A. Rainer, William D. Aaron, Jr., and DeWayne L. Williams. This motion was granted by order dated September 27, 2020. Also on September 25, 2020, Respondent filed a Motion to Recall the Deemed Admitted Order and a Motion to Continue Oral Argument set for October 1, 2020. The Motion to Recall the Deemed Admitted Order was objected to by ODC, and by order dated September 28, 2020, it was denied. The Motion to Continue Oral argument was also objected to by ODC, but was granted by order dated September 28, 2020. Respondent's Initial Brief was filed on October 13, 2020. Subsequently, oral argument was continued several times in this matter, ultimately to allow for Respondent to pursue a transfer to disability inactive status. *See* January 25, 2021 Order of the Board, continuing oral argument without date. On February 17, 2021, the Louisiana Supreme Court granted ODC and Respondent's Joint Petition for Transfer to Disability Inactive Status

Pursuant to Rule XIX, Section 22. In the order, the Court also deferred all disciplinary proceedings against Respondent until such time as he resumed active status.

On May 7, 2021, Ms. Rainer, Mr. Aaron, and Mr. Williams filed a Motion to Withdraw as Counsel of Record as their duties in the matter had been completed. This motion was granted by order dated May 18, 2021. On April 24, 2024, Respondent was reinstated to active status pursuant to Rule XIX, Section 22(G) and was placed on interim suspension pursuant to Rule XIX, Section 19.2 pending further orders of the Court. On May 29, 2024, the Board set this matter for oral argument before Panel “C” of the Disciplinary Board on August 22, 2024.⁴ ODC’s Supplemental Pre-Argument Brief was filed on July 23, 2024. Respondent did not file a pre-argument brief. On August 15, 2024, Respondent filed a motion to reset/continue the oral argument. ODC filed a memorandum in opposition to Respondent’s motion on August 19, 2024. Respondent’s motion was denied by Mr. Letten on August 19, 2024. Oral argument before Panel “C” was held as scheduled on August 22, 2024. Deputy Disciplinary Counsel Brianne Hemmans appeared on behalf of ODC. Respondent appeared *pro se*.

FORMAL CHARGES

Case Number 17-DB-018

The 17-DB-018 formal charges state, in pertinent part:

COUNT I (ODC File 0034058)

The Office of Disciplinary Counsel (“ODC”) received a complaint from Complainant, Donna Begovich, on January 19, 2016. Complainant hired Respondent to represent her in an action against her automobile insurance company who had denied coverage for a motor vehicle accident in which her son was involved. Complainant met with Respondent on October 28, 2015. Respondent reviewed the materials provided by Complainant and indicated he would represent her against the insurance company. Respondent requested \$1,000.00 on that day

⁴ Members of Panel “C” included James B. Letten (Chair), Ronald J. Miciotto (Lawyer Member), and Albert R. Dennis III (Public Member).

from Complainant and indicated \$700.00 of the \$1,000.00 would be to file suit on her behalf against the insurance company in Jefferson Parish. Respondent also indicated he would seek payment of his fee and any other expenses from the insurance company. Respondent also indicated he would send a certified letter to the insurance company within a week informing the company that Complainant had retained counsel and request a written explanation for the denial of the claim. On or about November 15, 2016 [sic], Respondent informed Complainant he had sent the letter to the insurance company and given the company 15 days in which to respond. Complainant requested but never received a copy of said correspondence from Respondent. Complainant never heard anything more from Respondent and terminated his services on December 8, 2015. Complainant terminated Respondent by sending a certified letter to him. In said letter, Complainant requests the return of the \$700.00 Respondent told her would be used to file suit in Jefferson Parish. When Complainant heard nothing from Respondent, she filed the instant complaint.

Respondent filed a written response to the complaint indicating that he had agreed to refund to Complainant the entire \$1,000.00 paid to him. He further stated he had attempted to contact Complainant via text to determine if she would pick up the refund or preferred to have the refund mailed to her. Complainant denies that she ever received any such text from Respondent. On December 29, 2016, Respondent sent correspondence to the ODC stating he had returned Complainant's refund to her in full. On January 11, 2017, Complainant sent correspondence to the ODC indicating she has not received any refund from Respondent. Further, Complainant indicated in said correspondence that she has had no communication with Respondent since before she lodged the instant complaint.

Respondent's actions in this matter constitute failure to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3; failure to keep the client reasonably informed about the status of the matter, in violation of Rule 1.4(a)(3); failure to return the unearned portion of a fixed fee, in violation for [sic] Rule 1.5(f)(5); knowingly making a false statement of material fact in connection with a disciplinary matter, in violation of [Rule] 8.1(a); violating or attempting to violate the Rules of Professional Conduct, in violation of Rule 8.4(a); and, engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Rule 8.4(c) of the Rules of Professional Conduct.

Case Number 18-DB-056

The 18-DB-056 formal charges state, in pertinent part:

COUNT I (ODC File 0036496)

This office received a complaint from Complainant, Andre Noujaim on February 3, 2018. Complainant alleges Respondent represented him in a domestic matter and charged him \$6,000.00 for the representation. According to Complainant, Respondent, despite numerous requests from Complainant, never provided Complainant with an itemized invoice indicating the legal work for which

he paid that was actually performed. Complainant also alleges that during the representation Respondent routinely delayed his matter and failed to communicate with him. Finally, Complainant alleges on December 15, 2016, Respondent borrowed \$5,000.00 from Complainant which Respondent has never repaid. Complainant made numerous demands of Respondent to re-pay the loans to no avail. Since Respondent [sic] has made demand for re-payment, Complainant [sic] has ceased communicating with him. Complainant filed suit against Respondent in the suit captioned as *Andre M. Noujaim vs. Kevin M. Steel*, bearing Suit Number 18-00676, Small Claims Division, First City Court of the City of New Orleans, State of Louisiana. Respondent never answered said suit, and Complainant obtained a Judgment against Respondent for the amount owed, plus interest and costs of the proceeding on March 1, 2018. On March 9, 2018, Respondent filed a Motion to Set for New Trial in the suit. Said motion was set for hearing on July 11, 2018. Respondent did not appear for said motion. Notice of Signing of Judgment was sent to Respondent on July 19, 2018. Complainant also alleged in his complaint that he had information that Respondent had borrowed money from other clients whom he had never repaid.

A copy of the complaint was sent to Respondent at his primary bar registered address. Respondent's written response to said complaint was due to the ODC on or before March 9, 2017. Respondent did not file a written response by March 9, 2017, but on March 17, 2018, Respondent sought and obtained an extension until April 3, 2018, in which to provide a written response to the complaint. To date, Respondent has not filed a written response to the complaint.

Because Respondent did not timely file a written response to the complaint, a Subpoena and Subpoena Duces Tecum was [sic] issued to Respondent on April 23, 2018. Said Subpoena compelled Respondent's attendance at the Office of Disciplinary Counsel on June 7, 2018, at 2:00 p.m. Said Subpoena Duces Tecum compelled Respondent to bring to the ODC a complete copy of his entire file related to *Andre M. Noujaim vs. Kevin M. Steel*, bearing Suit Number 18-00676, Small Claims Division, First City Court of the City of New Orleans, State of Louisiana, including any and all financial records and a complete copy of Respondent's client file in the matter captioned as *Kevin and Carolyn Steel, et al vs. Leslie Jo Cramond and State Farm Mutual Insurance Company*, bearing Suit Number 773-377, Division B of the 24th Judicial District Court for the Parish of Jefferson, State of Louisiana, including any and all financial records. ODC Investigator Bob Harrison traveled to Respondent's office to serve said Subpoena and Subpoena Duces Tecum, but Respondent was not present to be served. Respondent later communicated with Investigator Harrison via E-mail and agreed to accept service of said Subpoena and Subpoena Duces Tecum via E-mail. On May 2, 2018, Investigator Harrison sent the Subpoena and Subpoena Duces Tecum to Respondent via E-mail. Despite having actual notice of the Subpoena and Subpoena Duces Tecum, Respondent failed to appear or return any documents to the ODC on June 7, 2018, at 2:00 p.m. At 2:30 p.m., a *Proces Verbal* was taken indicating Respondent had failed to appear or produce any documents.

On July 10, 2018, the ODC took the sworn statement of Complainant who provided sworn testimony in support of the allegations against Respondent. On or about July 6, 2018, the undersigned spoke with Respondent via phone who indicated he would be filing a written response in this matter. To date, Respondent has filed nothing in this matter.

COUNT II (ODC File 0036580)

This office received a complaint from Complainant, Celine Lemieux, on March 5, 2018. Complainant treated Respondent's client, Carolyn Steel, beginning in June 2016. Respondent guaranteed payment of the amounts owed to Complainant for his client's treatment. Additionally, Complainant sent correspondence to Respondent on July 28, 2016, notifying Respondent that she was asserting her privilege pursuant to La. R.S. 9:4751 to secure payment of her fee as a health care provider. Complainant's client finished treatment and was discharged on March 7, 2017. Complainant attempted to contact Respondent to no avail to determine the status of the case and payment of the fee owed to Complainant. When Complainant was unable to reach Respondent, Complainant phoned State Farm who indicated the matter had settled on December 1, 2017, and a check was sent by State Farm to Respondent payable to Respondent and his client. To date, Respondent has not paid Complainant. The total owed to Complainant is \$3,620.00.

A copy of the complaint was sent to Respondent via certified mail on March 9, 2018, at his primary bar registered address. Respondent received said correspondence on March 13, 2018. Respondent's written response to said complaint was due to the ODC on or before March 28, 2018. Respondent did not file a written response by March 28, 2018. To date, Respondent has not filed a written response to the complaint. Because Respondent did not timely file a written response to the complaint, a Subpoena and Subpoena Duces Tecum was issued to Respondent on April 23, 2018. Said Subpoena compelled Respondent's attendance at the Office of Disciplinary Counsel on June 7, 2018, at 2:00p.m. Said Subpoena Duces Tecum compelled Respondent to bring to the ODC a complete copy of his entire file related to *Andre M. Noujaim vs. Kevin M Steel*, bearing Suit Number 18-00676, Small Claims Division, First City Court of the City of New Orleans, State of Louisiana, including any and all financial records and a complete copy of Respondent's client file in the matter captioned as *Kevin and Carolyn Steel, et al vs. Leslie Jo Cramond and State Farm Mutual Insurance Company*, bearing Suit Number 773-377, Division B of the 24th Judicial District Court for the Parish of Jefferson, State of Louisiana, including any and all financial records. ODC Investigator Bob Harrison traveled to Respondent's office to serve said Subpoena and Subpoena Duces Tecum, but Respondent was not present to be served. Respondent later communicated with Investigator Harrison via text message and E-mail and agreed to accept service of said Subpoena and Subpoena Duces Tecum via E-mail. On May 2, 2018, Investigator Harrison sent the Subpoena and Subpoena Duces Tecum to Respondent via E-mail. Despite having actual notice of the Subpoena and Subpoena Duces Tecum, Respondent failed to appear or return any

documents to the ODC on June 7, 2018, at 2:00 p.m. At 2:30 p.m., a *Proces Verbal* was taken indicating Respondent had failed to appear or produce any documents.

Respondent's actions in these matters constitute failure to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3; failure to keep the client reasonably informed about the status of the matter, in violation of Rule 1.4(a)(3); entering into a prohibited business transaction with a client, in violation of Rule 1.8(a); [and] failing to safeguard property of third person in violation of Rule 1.15(d) of the Rules of Professional Conduct; [and] failing to cooperate with the Office of Disciplinary Counsel in connection with a disciplinary matter, in violation of Rule 8.1(c); violating or attempting to violate the Rules of Professional Conduct, in violation of Rule 8.4(a); engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Rule 8.4(c); and engaging in conduct prejudicial to the administration of justice, in violation of Rule 8.4(d) of the Rules of Professional Conduct.

Case Number 19-DB-077

The 19-DB-077 formal charges state, in pertinent part:

COUNT I (ODC File 0037034)

This office received a complaint from Complainant, Celine Lemieux, on August 13, 2018. Complainant treated Respondent's client, Thomas Arnold, beginning in April 2016. Respondent guaranteed payment of the amounts owed to Complainant for his client's treatment. Additionally, Complainant sent correspondence to Respondent on July 8, 2016, notifying Respondent that she was asserting her privilege pursuant to La. R.S. 9:4751, to secure payment of her fee as a health care provider. Complainant's patient finished treatment and was discharged on August 31, 2016. Complainant attempted to contact Respondent numerous times to no avail to determine the status of the case and payment of the fee owed to Complainant. Eventually, Complainant's office was able to speak with Respondent who assured Complainant's staff that a suit would [sic] be filed on Mr. Arnold's behalf but had not yet settled. Complainant's office contacted the insurance company who indicated there was no pending claim for Mr. Arnold. Complainant's staff also contacted the clerks of court for Jefferson and Orleans Parish as well as the First City Court in New Orleans, all of which informed Complainant's staff that no lawsuit had been filed on behalf of Mr. Arnold relating to his April 23, 2016 accident.

The initial notice of complaint dated September 12, 2019 [sic], sent to Respondent by the ODC was never delivered by the Post Office. Thus, the ODC sent a second notice on January 3, 2019, which Respondent's office signed for on January 7, 2019. Respondent provided a written response to said complaint indicating that the matter had not yet settled, but that he had filed suit on Mr. Arnold's behalf. ODC Investigator Robert Harrison also searched the court records in Jefferson and Orleans Parishes to see if he could locate a petition filed on Mr. Arnold's behalf, but was unable to do so. The ODC attempted to contact Mr. Arnold

to no avail. The ODC has asked Respondent for a copy of the stamped copy of said filed lawsuit on numerous occasions, but to date, Respondent has not provided any documentation indicating that he has filed suit on Mr. Arnold's behalf. To date, Respondent has not paid Complainant. The total owed to Complainant is \$2,485.00.

COUNT II (ODC File Number 0037210)

The Office of Disciplinary Counsel received a complaint from Complainant, Zachary Brewster, on November 1, 2018. Complainant was involved in an automobile accident on September 16, 2016. Thereafter, Complainant hired Respondent to represent him in his claim for personal injuries. Complainant subsequently saw Dr. David Edwards, a chiropractor in Metairie, and incurred medical expenses of \$15,000.00. Complainant concluded treatment with Dr. Edwards during March 2017. According to Complainant, Respondent assured him four [sic] months after the accident that reimbursement for medical expenses would be paid soon. At the time Complainant filed the instant complaint, Respondent had not communicated with him about his case for at least six months and the medical bills remained unpaid. Complainant also enlisted the help of another attorney, Donald Kearns, to communicate with Respondent and learn the status of his case. Mr. Kearns spoke with Respondent via telephone on October 8, 2018, during which conversation, Respondent informed Mr. Kearns that the \$15,000.00 would be reimbursed soon. Respondent also promised to research Complainant's file and contact Mr. Kearns with specifics. Respondent never provided any additional information to Mr. Kearns. Mr. Kearns also contacted GEICO and was provided a copy of a check dated June 28, 2017, in the amount of \$15,000.00, payable to Zachary Brewster and Kevin Steel. Complainant states the check has been endorsed by Mr. Steel and him, but insists that the signature of his name on the back of the check is not his. GEICO's records also indicate the check has been paid. On October 15, 2018, Mr. Kearns sent correspondence to Respondent advising Respondent of the information he received from GEICO. Mr. Kearns also asked Respondent to contact him which Respondent never did. On October 18, 2018, Mr. Kearns sent correspondence to Respondent, via certified mail return receipt requested, requesting that the funds be immediately remitted to Complainant. Respondent has never paid Complainant the funds.

COUNT III (ODC File Number 0037394)

The Office of Disciplinary Counsel received a complaint from Complainant, Ryan Poirrier, on January 22, 2019. Complainant alleges he hired Respondent on March 11, 2018, to represent him in a criminal matter and then to obtain an expungement of his arrest once said criminal charges were dismissed. Complainant paid Respondent a \$5,000.00 flat fee for all services on March 14, 2018. On June 13, 2018, Complainant paid Respondent \$1,100.00 for court costs to file the expungement. Complainant alleges that Respondent has not contacted him since June 13, 2018. Complainant further alleges he has made numerous phone calls and left over 20 messages between June 13, 2018 and October 31, 2018.

Respondent has never returned any call. On October 31, 2018, Complainant faxed correspondence to Respondent terminating him, requesting a return of the \$1,100.00 in court costs that he paid for the filing of the expungement, and the portion of the \$5,000.00 fee attributable to the legal work required for the expungement. To date, Respondent has not returned any funds to Complainant. Complainant also hired another attorney, Henry Weber, who attempted to contact Respondent to no avail. Respondent and Mr. Weber only had one telephone conversation during which Respondent informed Mr. Weber that they would have to speak another time.

Notice of this complaint was sent to Respondent, via certified mail return receipt requested, by the ODC on February 5, 2019. The green card receipt received from the post office indicates Respondent's office signed for said notice on February 7, 2019. Respondent's written response to said complaint was due to the ODC on or before February 22, 2019. To date, Respondent has never provided a written response to said complaint. On September 30, 2019, Respondent was personally served with a Subpoena and Subpoena Duces Tecum in the above captioned matter to appear at the ODC on October 3, 2019, at 10:00 a.m., for a sworn statement and to produce his entire client file regarding Complainant, including any and all financial records pertaining to Complainant. Respondent failed to appear at the ODC or produce any records on October 3, 2019.

COUNT IV (ODC File Number 0037433)

The Office of Disciplinary Counsel received a complaint from Complainant, Trish Schultz on behalf of SouthShore Physician Group, on January 31, 2019. Complainant alleges Respondent referred numerous clients to the SouthShore Physician Group ("SSPG") to receive medical care and treatment for injuries Respondent's clients sustained from automobile accidents in which they were involved. The specific clients are Joseph Desmares, Carolyn Desmares, and Amber Touchet. Complainant states that at the time of the referral of these clients, Respondent agreed to pay for the medical bills incurred on behalf of his clients when the cases in which the clients were involved were settled or completed. Respondent did not do so. Instead, SSPG learned that all of the cases had settled, Respondent withheld funds from said settlements to pay SSPG, but he did not pay SSPG the funds owed to it. SSPG contacted Respondent during 2014 to inquire about his outstanding bill as the company, formerly named Allied, Adult & Child Clinic, had obtained new management. At this time, Respondent owed SSPG \$21,190.00. During 2014, Respondent informed SSPG that he was having financial issues but would start paying the outstanding bill as soon as he was able to do so. Respondent subsequently made \$7,885.00 in payments to SSPG, but beginning in 2017, Respondent ceased making payments to SSPG. After 2017, Respondent also ceased communicating with SSPG. Respondent still owes SSPG \$11,600.00. Because Respondent withheld these funds from his clients' settlements, did not provide said funds to SSPG, and later claimed he did not have the funds to pay SSPG what it was owed, Respondent converted said funds.

Notice of this complaint was sent to Respondent by the ODC, via certified mail return receipt requested, on February 13, 2019. The green card receipt received from the post office indicates Respondent's office signed for said notice on February 15, 2019. Respondent's written response to said complaint was due to the ODC on or before March 2, 2019. To date, Respondent has never provided a written response to said complaint. On September 30, 2019, Respondent was personally served with a Subpoena and Subpoena Duces Tecum in the above captioned matter to appear at the ODC on October 3, 2019, at 10:00 a.m., for a sworn statement and to produce his entire client file regarding Complainant including any and all financial records pertaining to Joseph Desmares, Carolyn Desmares, and Amber Touchet. Respondent failed to appear at the ODC or produce any records on October 3, 2019.

COUNT V (ODC File Number 0037742)

The Office of Disciplinary Counsel received a complaint from Complainant, Shawanda Tanisha Simon, on June 24, 2019. Complainant alleges she hired Respondent in June 2017 to represent her on some tickets she received in Westwego. According to Complainant, she paid Respondent \$1,100.00, and he did nothing on her behalf. Complainant received a letter from the City of Westwego informing her that the Office of Motor Vehicles was withdrawing her driving privileges. She also learned at that time that she had two attachments for her arrest outstanding. Complainant attempted to call Respondent numerous times to no avail. When Complainant was finally able to speak to Respondent, Respondent assured her he would be going to court on her behalf. Respondent never did so, and Complainant ultimately went to the Westwego court on her own and paid the tickets which cost her an additional \$725.00.

Notice of this complaint was sent to Respondent by the ODC, via certified mail return receipt requested, on July 9, 2019. The green card receipt received from the post office indicates Respondent's office signed for said notice⁴ [sic] on July 20, 2019. Respondent's written response to said complaint was due to the ODC on or before August 4, 2019. To date, Respondent has never provided a written response to said complaint. On September 30, 2019, Respondent was personally served with a Subpoena and Subpoena Duces Tecum in the above captioned matter to appear at the ODC on October 3, 2019, at 10:00 a.m., for a sworn statement and to produce his entire client file regarding Complainant, including any and all financial records pertaining to Complainant. Respondent failed to appear at the ODC or produce any records on October 3, 2019.

Respondent's actions in these matters constitute failure to act with reasonable diligence and promptness in representing a client, in violation of Rule 1.3; failure to communicate, in violation of Rule 1.4; failure to return the unearned portion of a fixed fee, in violation for Rule 1.5(f)(5); failure to obtain client's consent to settle and obtaining an improper power of attorney authorizing him to settle a matter, in violation of Rule 8.4(k) [sic]; failing to promptly deliver funds of a third party and conversion, in violation of Rule 1.15(d); knowingly making a false statement of material fact in connection with a disciplinary matter, in violation of

8.1(a); failing to cooperate with the ODC during its investigations, in violation of Rule 1.8(c) [sic]; violating or attempting to violate the Rules of Professional Conduct, in violation of Rule 8.4(a); engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Rule 8.4(c); and, engaging in conduct that is prejudicial to the administration of justice, in violation of Rule 8.4(d) of the Rules of Professional Conduct.

THE BOARD'S RECOMMENDATION IN CASE NUMBER 17-DB-018

In its November 30, 2018 recommendation, the Board found that the factual allegations in the formal charges had been deemed admitted and proven pursuant to Rule XIX, Section 11(E)(3) and were supported by the submitted evidence. The Board also found that Respondent had violated Rules of Professional Conduct 1.3, 1.4(a)(3), 1.5(f)(5), 8.1(a), 8.4(a), and 8.4(c). In analyzing the Rule XIX, Section 10(C) factors, the Board found that Respondent had violated duties owed to his client and the profession and that he had acted knowingly and intentionally. The Board also determined that Respondent's failure to communicate with his client, failure to diligently fulfill the services he agreed to perform, failure to return unearned fees, and providing false information to ODC in connection with this matter had caused actual damage to his client and the profession. The Board explained that Respondent accepted \$1,000 from Ms. Begovich, but presented no evidence to show that he had performed any work on her legal matter or had returned the unearned fee. Respondent's misconduct caused a delay in the analysis and pursuit of the client's claim and loss of the fee paid to Respondent. Further, Respondent made false statements to the ODC regarding communications with Ms. Begovich and regarding the return of the fee paid to him. The Board concluded that conduct of this sort causes the unnecessary expenditure of the limited resources of the disciplinary agency, delays the resolution of complaints, and causes damage to the reputation of the profession.

Aggravating factors found by the Board included: prior disciplinary offenses;⁵ dishonest or selfish motive; pattern of misconduct; multiple offenses; bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency; submission of false evidence, false statements, or other deceptive practices during the disciplinary process; substantial experience in the practice of law;⁶ and indifference to making restitution. No mitigating factors were found by the Board.

After reviewing Standards 4.42, 5.11, 5.13, and 7.20 of the *ABA Standards for Imposing Lawyer Sanctions*, the Board determined that the baseline sanction in the matter was suspension. The Board also reviewed Louisiana jurisprudence dealing with similar misconduct, including the case of *In re Brown-Manning*, 2015-2342 (La. 3/4/16), 185 So.3d 728, which imposed a one-year and one-day suspension, along with restitution for unearned fees, for misconduct similar to that of Respondent. The Board recommended that Respondent be suspended from the practice of law for one year and one day and that he be ordered to pay restitution to Ms. Begovich in the amount of \$1,000.00. Respondent was also assessed with the costs and expenses of the matter.

HEARING COMMITTEE'S REPORT IN CASE NUMBER 18-DB-056 C/W 19-DB-077

In its June 18, 2020 report, the Committee listed the evidence in the record. The Committee stated:

EVIDENCE

The Committee reviewed the exhibits submitted by ODC, which are Exhibits ODC 1-15 in 18-DB-056 and ODC 1-27 in 19-DB-077. Respondent did not submit evidence or argument for the Committee's consideration, nor did he request to be heard in mitigation pursuant to Rule XIX, §11(E)(4).

⁵ In 2004, Respondent received an admonition and was ordered to attend the LSBA Ethics School within one year of the order of discipline for violations of Rules 1.3 and 1.4. *In re Steel*, Louisiana Attorney Disciplinary Board, 04-ADB-017 (6/8/04). In 2015, Respondent consented to discipline of a three-month suspension, fully deferred, for violations of Rules 1.3 and 1.4(a). *In re Steel*, 2014-2367 (La. 1/16/15), 155 So.3d 513.

⁶ Respondent was admitted to practice law sixteen years prior to being retained by Complainant.

The Committee then issued the following findings of fact:

FINDINGS OF FACT

Respondent did not respond to the allegations made by ODC so the Committee finds all of the allegations presented by ODC to be deemed admitted and to have actually occurred. As such the facts outlined above are adopted as factual findings by the Committee.

As to the alleged rule violations, the Committee issued the following findings:

RULES VIOLATED

The Committee finds that the deemed admitted factual allegations are sufficient to prove the violation of all of the Rules ODC had alleged that Respondent breached.

Count I, 18-DB-056 (Noujaim): By neglecting Mr. Noujaim's legal matter and failing to communicate with him, Respondent violated Rules 1.3 and 1.4(a)(3). By borrowing money from Mr. Noujaim, his client, without taking the appropriate steps as outlined in Rule 1.8(a) and by failing to repay the loan, Respondent violated Rules 1.8(a) and 8.4(c). By failing to cooperate in ODC's investigation of the complaint, Respondent violated Rules 8.1(c), 8.4(a) and (d).

Count II, 18-DB-056: By withholding funds owed to a third party, Respondent violated Rules 1.15(d) and 8.4(c). By failing to cooperate in ODC's investigation of the complaint, Respondent violated Rules 8.1(c), 8.4(a) and (d).

Count I, 19-DB-077: By failing to file suit on behalf of Mr. Arnold, Respondent violated Rules 1.3 and 1.4. By providing false information to ODC and failing to cooperate in ODC's investigation, Respondent violated Rules 8.1(a) & (c), and 8.4(a) (c) & (d). Also, by failing to pay guaranteed funds to a third party, Respondent violated Rule 8.4(c).

Count II, 19-DB-077: By failing to inform Mr. Brewster of the settlement of his matter or obtaining his consent, Respondent violated Rules 1.4 and 1.8(k). By failing to pay Mr. Brewster and/or Dr. Edwards the funds owed to them, Respondent violated Rule [sic] 1.15(d), 8.4(c) and (d). Respondent also violated Rule 8.4(a).

Count III, 19-DB-077: By failing to pursue Mr. Poirrier's legal matter, failing to keep him informed, and failing to return the unearned fees and costs to Mr. Poirrier, Respondent violated Rules 1.3, 1.4, 1.5(f)(5), and 8.4(c). By failing to cooperate in ODC's investigation of the complaint, Respondent violated Rules 8.1(c), 8.4(a) and (d).

Count IV, 19-DB-077: By withholding funds owed to a third party, Respondent violated Rules 1.15(d) and 8.4(c). By failing to cooperate in ODC's investigation of the complaint, Respondent violated Rules 8.1(c), 8.4(a) and (d).

Count V, 19-DB-077: By failing to pursue Ms. Simon’s legal matter, failing to keep her informed, and failing to return the unearned fees and/or costs to Ms. Simon, Respondent violated Rules 1.3, 1.4, 1.5(f)(5), and 8.4(c). By failing to cooperate in ODC’s investigation of the complaint, Respondent violated Rules 8.1(c), 8.4(a) and (d).

After reviewing the Rule XIX, Section 10(C) factors, the Committee determined that Respondent violated duties owed to the client, the public, the legal system, and the profession. The Committee further determined that Respondent acted negligently, knowingly, and intentionally as to the various counts of the misconduct. The Committee also found that Respondent’s misconduct caused harm as outlined in the formal charges and that the financial harm to multiple clients and third parties was extensive. Aggravating factors found by the Committee included Respondent’s failure to cooperate with ODC’s investigations, his false statements to ODC, his multiple offenses, his pattern of misconduct, and his prior disciplinary history. No mitigating factors were found by the Committee.

The Committee further determined that the *ABA Standards for Imposing Lawyer Sanctions* suggest that disbarment is the baseline sanction for Respondent’s misconduct.⁷ The Committee was of the unanimous opinion that not only should the baseline be upheld, but because of the Respondent’s egregious behavior and flagrant failure to cooperate despite actual service (as opposed to some Respondents who merely disappear), Respondent deserved an even more drastic action to protect possible future clients, the public, the legal system, and the profession from his clear violations and the real harm they cause.

The Committee cited Guideline 1 of the guidelines for permanent disbarment which states that permanent disbarment is warranted if there are “[r]epeated or multiple instances of intentional conversion of client funds with substantial harm.” Louisiana Supreme Court Rule XIX, Appendix

⁷ The Committee did not cite to any specific ABA Standards.

D. The Committee explained that Respondent had essentially converted approximately \$45,000 from multiple clients and third parties, which caused significant harm. It then concluded that Respondent's misconduct fell squarely within the scope of Guideline 1 and recommended that he be permanently disbarred.

ANALYSIS OF THE RECORD BEFORE THE BOARD

I. Standard of Review

The powers and duties of the Disciplinary Board are defined in Section 2 of Rule XIX. Rule XIX, Section 2(G)(2)(a) states that the Board is "to perform appellate review functions, consisting of review of the findings of fact, conclusions of law and recommendations of hearing committees with respect to formal charges ... and prepare and forward to the court its own findings, if any, and recommendations." Inasmuch as the Board is serving in an appellate capacity, the standard of review applied to findings of fact is that of "manifest error." *Arceneaux v. Domingue*, 365 So. 2d 1330 (La. 1978); *Rosell v. ESCO*, 549 So. 2d 840 (La. 1989). The Board conducts a *de novo* review of the hearing committee's application of the Rules of Professional Conduct. *In re Hill*, 90-DB-004, Recommendation of the Louisiana Attorney Disciplinary Board (1/22/92).

A. The Manifest Error Inquiry as to Case Number 18-DB-056 c/w 19-DB-077

The factual allegations in the formal charges have been deemed admitted and proven pursuant to Louisiana Supreme Court Rule XIX, Section 11(E)(3). The Committee correctly adopted the facts as alleged in the formal charges. The factual findings of the Committee are not manifestly erroneous and are adopted by the Board.

B. De Novo Review as to Case Number 18-DB-056 c/w 19-DB-077

The Committee correctly found that ODC proved that Respondent violated the Rules of Professional Conduct as charged. The Board adopts the Committee's findings and its reasons

therefor. As to the 8.4(c) violations, the Board also finds that Respondent possessed the mental state of intent when he committed these violations. *See In re Schonekas*, Disciplinary Board Ruling, 21-DB-034 (7/31/23) (after reviewing Louisiana Supreme Court jurisprudence regarding the Court's interpretation of Rule 8.4(c) relating to the required mental element, the Board applied an intentional standard or requirement of a mental state of intent in order to find a violation of Rule 8.4(c)).

II. The Appropriate Sanction for the Combined Misconduct in Case Number 17-DB-018 c/w 18-DB-056 c/w 19-DB-077

A. The Rule XIX, Section 10(C) Factors

Louisiana Supreme Court Rule XIX, §10(C), states that when imposing a sanction after a finding of lawyer misconduct, the Court or Board shall consider the following factors:

- (1) Whether the lawyer has violated a duty owed to a client, to the public, to the legal system, or to the profession;
- (2) Whether the lawyer acted intentionally, knowingly, or negligently;
- (3) The amount of the actual or potential injury caused by the lawyer's misconduct; and
- (4) The existence of any aggravating or mitigating factors.

Here, Respondent violated duties owed to the client, the public, the legal system, and the profession. As to his various acts of misconduct, he acted negligently, knowingly, and/or intentionally. Respondent's misconduct caused harm as outlined in the formal charges. In particular, the financial harm to multiple clients and third parties is extensive, totaling approximately \$41,000--\$46,000. Aggravating factors include prior disciplinary offenses;⁸ dishonest or selfish motive; pattern of misconduct; multiple offenses; bad faith obstruction of the

⁸ As explained earlier, in 2004 Respondent received an admonition and was ordered to attend the LSBA Ethics School within one year of the order of discipline for violations of Rules 1.3 and 1.4. *In re Steel*, Louisiana Attorney Disciplinary Board, 04-ADB-017 (6/8/04). In 2015, Respondent consented to discipline of a three-month suspension, fully deferred, for violations of Rules 1.3 and 1.4(a). *In re Steel*, 2014-2367 (La. 1/16/15), 155 So.3d 513.

disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency; submission of false evidence, false statements, or other deceptive practices during the disciplinary process; substantial experience in the practice of law;⁹ and indifference to making restitution. No mitigating factors are present.

The ABA *Standards for Imposing Lawyer Sanctions* suggest that disbarment is the baseline sanction for Respondent's misconduct. Standard 4.11 states:

Disbarment is generally appropriate when a lawyer knowingly converts client property and causes injury or potential injury to a client.

The record of these consolidated matters indicates Respondent has converted funds owed to his client and third-party health care providers, unearned fees which he has refused to return, and court costs he collected for the filing of legal work he never performed.

Standard 4.31 states:

Disbarment is generally appropriate when a lawyer, without the informed consent of client(s):

- (a) Engages in representation of a client knowing that the lawyer's interests are adverse to the client's with the intent to benefit the lawyer or another, and causes serious or potentially serious injury to the client.

The record of these consolidated matters also indicates Respondent entered into a business transaction to borrow \$5,000 from his client, Andre Noujaim, without Mr. Noujaim's informed consent. This conduct clearly benefitted Respondent and placed Respondent's own interests adverse to that of his client, Mr. Noujaim. Mr. Noujaim was seriously injured as he has not been repaid this \$5,000 from Respondent.

Standard 4.41 states:

Disbarment is generally appropriate when:

⁹ As noted above, Respondent was admitted to the practice of law in Louisiana on April 23, 1999.

- (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or
- (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
- (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

The record of these consolidated matters further indicates Respondent failed to perform the legal services for which he was hired for Ms. Begovich, Mr. Poirrier, and Ms. Simon which caused injury or potential injury for each of these clients. Further, the evidence establishes that Respondent neglected Mr. Noujaim's legal matter which also delayed the resolution of his matter.

Standard 4.61 states:

Disbarment is generally appropriate when a lawyer knowingly deceives a client with the intent to benefit the lawyer or another, and causes serious injury or potentially serious injury to a client.

The record of these consolidated matters further indicates Respondent deceived Mr. Noujaim when Respondent promised Mr. Noujaim that he would re-pay the funds Respondent borrowed from him, but never did so.

Standard 5.11 states:

Disbarment is generally appropriate when:

- (a) a lawyer engages in serious criminal conduct a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or
- (b) a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

Respondent has misappropriated the funds owed to Dr. Lemieux, Mr. Brewster/Dr. Edwards, and the SouthShore Physicians Group. Further, Respondent has failed to return unearned fees and/or court costs to Ms. Begovich, Mr. Poirrier, and Ms. Simon. He has failed to repay Mr. Noujaim the \$5,000 he borrowed from him. Finally, in the Begovich, Noujaim and Lemieux matters, Respondent stated in correspondence to ODC that he would send funds owed to each complainant. He has not done so, and his actions constitute deceit. Further, Respondent's unfulfilled guarantee of payment to or agreement to pay Dr. Lemieux and the SouthShore Physicians Group constitutes misrepresentation.

Moreover, Standard 7.1 states:

Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed to the profession with the intent to obtain a benefit for the lawyer or another, and causes serious or potentially serious injury to a client, the public, or the legal system.

The record of these consolidated matters shows that Respondent violated duties he owed as a professional to his clients, the public, the legal system, and to the legal profession. This conduct benefitted Respondent as he converted for his own use funds owed to his client and third-party health care providers, unearned fees which he refused to return, and court costs he collected for the filing of legal work he never performed. His forgery of Mr. Brewster's name on the settlement check from GEICO also violated his duty owed as a professional to his client. Clearly, Respondent benefitted from his misconduct and caused injury to his victims.

Guideline 1 of the guidelines for permanent disbarment states that permanent disbarment is warranted if there are "[r]epeated or multiple instances of intentional conversion of client funds with substantial harm." Louisiana Supreme Court Rule XIX, Appendix D. Here, Respondent essentially converted approximately \$45,000 from multiple clients and third parties, which caused significant harm. His misconduct falls squarely within the scope of Guideline 1.

Further, Rule XIX, Section 10(A)(1) provides that the Court shall only impose permanent disbarment upon an express finding of the presence of the following factors:

- (1) the lawyer's misconduct is so egregious as to demonstrate a convincing lack of ethical and moral fitness to practice law; and
- (2) there is no reasonable expectation of significant rehabilitation in the lawyer's character in the future.

Respondent's actions involving neglect of and failure to perform legal services, deceit, misrepresentation, and significant conversion of funds are egregious and demonstrate a convincing lack of ethical and moral fitness to practice law. Further, there is no reasonable expectation of significant rehabilitation in Respondent's character in the future. This is evidenced by Respondent's failure to make restitution to the complainants, even though he has had numerous (approximately six to eight) years to do so, and the fact that he was placed on interim suspension status by the Court for alleged additional and extensive misconduct complained of since the hearing committee made its recommendation of permanent disbarment. Such alleged conduct includes [REDACTED]

[REDACTED]. See ODC's Supplemental Pre-Argument Brief filed July 23, 2024 and Exhibit "A" (sealed) attached thereto.

In *In re Favors*, 2006-1339 (La. 9/29/06), 938 So.2d 677, the respondent was charged with twenty-five counts of misconduct. The Court found that in these counts, the respondent failed to provide competent representation to his clients, neglected his clients' legal matters, failed to communicate with his clients, failed to refund approximately \$2,600 in unearned fees, converted approximately \$41,000 of client and third-party funds to his own use, engaged in conduct involving dishonesty, fraud, deceit, or misrepresentation, abandoned his law practice when he

relocated to Georgia without notice to his clients, and failed to cooperate with ODC in numerous investigations. The Court determined that the baseline sanction for this type of misconduct was disbarment. After reviewing Permanent Disbarment Guideline 1, the Court concluded that permanent disbarment was the appropriate sanction in the matter. The Court also noted that “the intentional conversion of client funds, coupled with the numerous acts of misconduct, indicates that respondent lacks the requisite honesty and integrity to practice law.” *Id.*, 2006-1339, p. 21, 938 So.2d at 687.

This matter is similar to *Favors* in that over \$40,000 in client and third-party funds have been converted. Similar rule violations -- including violations of Rules 1.3, 1.4, 1.5(f)(5), 1.15(d), 8.1(a)(c), and 8.4(a)(c)(d) -- are found in this matter. Although more counts of misconduct (twenty-five) were established in *Favors*, numerous counts (eight) are also present in this consolidated matter. A similar sanction is warranted in this case.

Based on the above, and considering the misconduct established in all three matters which have been consolidated, the Board recommends that Respondent be permanently disbarred from the practice of law.

CONCLUSION

The Board adopts the Committee’s findings of fact and findings of rule violations in case number 18-DB-056 c/w 19-DB-077. As to the 8.4(c) violations found by the Committee, the Board also finds that Respondent possessed the mental state of intent when he committed these violations. Considering the facts of and rule violations found in case number 18-DB-056 c/w 19-DB-077, along with the Board’s prior recommendation in case number 17-DB-018, the Board recommends that the sanction of permanent disbarment be imposed in this consolidated matter. The Board also recommends that Respondent be ordered to make restitution to Ms. Begovich (\$1,000), Mr. Noujaim (\$5,000), Dr. Lemieux (\$6,105.00 (\$3,620 for treatment of Carolyn Steel + \$2,485.00 for

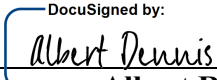
treatment of Thomas Arnold)), Mr. Brewster (who owes the funds to Dr. Edwards) (\$15,000), Mr. Poirrier (\$1,100 in court costs + portion of the \$5,000 fee attributable to legal work for an expungement), SouthShore Physicians Group (\$11,600), and Ms. Simon (\$1,100). Further, the Board recommends that Respondent be assessed with all costs and expenses of these proceedings in accordance with Rule XIX, Section 10.1.

RECOMMENDATION

Given the above, the Board recommends that Respondent, Kevin Michael Steel, be permanently disbarred. The Board further recommends that Respondent be ordered to make restitution to Donna Begovich (\$1,000), Andre Noujaim (\$5,000), Dr. Celine Lemieux (\$6,105.00 (\$3,620 for treatment of Carolyn Steel + \$2,485.00 for treatment of Thomas Arnold)), Zachary Brewster (who owes the funds to Dr. Edwards) (\$15,000), Ryan Poirrier (\$1,100 in court costs + portion of the \$5,000 fee attributable to legal work for an expungement), SouthShore Physicians Group (\$11,600), and Shawanda Simon (\$1,100). Further, the Board recommends that Respondent be assessed with all costs and expenses of these proceedings in accordance with Rule XIX, Section 10.1.

LOUISIANA ATTORNEY DISCIPLINARY BOARD

**R. Alan Breithaupt
Todd S. Clemons
Valerie S. Fields
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Ronald J. Miciotto
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Albert R. Dennis III
FOR THE ADJUDICATIVE COMMITTEE