

FILED
SUPREME COURT
OF GUAM

FEB 10 2000

IN THE SUPREME COURT OF GUAM

IN RE:

SUPREME CASE NO. ADC 00-001

HAIM HABIB,

STIPULATED ORDER FOR
DISCIPLINE BY CONSENT

Respondent.

LAW OFFICE OF
DAVID J. HIGHSMITH

On January 15, 2000, Respondent appeared for trial in EC98038 before the Guam Bar Ethics Committee, including members Thomas J. Lannen, Loretta Gutierrez-Long, Ana M. Gabriel, Vincent Leon Guerrero and Sandra Cruz. Also present was Prosecuting Counsel, David J. Highsmith. Respondent advised the Committee that he wanted to admit to a violation of Model Rule of Professional Conduct 3.5(c) and to accept a public reprimand as a means of resolving the matter under Supreme Court Rule 17. In accordance with Supreme Court Rule 17(d), the Committee inquired as to whether Respondent understood the nature of the charges against him, whether he understood the proposed disposition of the proceedings, whether he understood that he was waiving his rights to a hearing and a determination before the Guam Bar Ethics Committee and the Supreme Court of Guam and whether he was making said admission voluntarily. Respondent replied that he understood the consequences of this admission and that it was voluntary and the Committee accepted his admission. This order contains the stipulation agreed upon at that time.

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ORIGINAL

LAW OFFICE OF
DAVID J. HIGHSMITH

Pursuant to Rule 17 of the Supreme Court's Rules Governing Disciplinary Proceedings, the Guam Bar Ethics Committee and Respondent Haim Habib, hereby stipulate to the following:

1. Between July 24, 1997 and August 6, 1997, Respondent violated Model Rule of Professional Conduct 3.5(c), by his disruptive conduct at trial in an Unlawful Detainer case presided over by Superior Court Judge Francis Tydingco-Gatewood, CV0911-97, Century 21 Commonwealth Realty v. Carol Ihrig, et al.
2. Respondent is hereby publicly reprimanded.
3. Respondent shall pay One Thousand Five Hundred Dollars [US\$1,500.00] to the Guam Bar Association for its costs and attorney's fees in this matter.
4. Respondent shall pay One Thousand Five Hundred Sixty Dollars [US\$1,560.00] to Ms. Carol Ihrig, his former client in CV0911-97, as restitution.
5. The aforementioned sums shall be paid on a monthly basis. Payment shall be made by the fifteenth day of each month at the rate of Two Hundred Fifty Five Dollars [US\$255.00] per month beginning in February, 2000 and continuing thereafter for a period of one year until said amounts are satisfied. Payments shall be made to the Guam Bar Association at the office of Arriola, Cowan & Arriola at Suite 201, C&A Professional Bldg., 259 Martyr Street, Hagåtña, Guam.

SO ORDERED:


BENJAMIN J.F. CRUZ, JR.
 Chief Justice, Supreme Court

Dated: 02/11/00



PETER C. SIGUENZA, JR.
 Associate Justice, Supreme Court

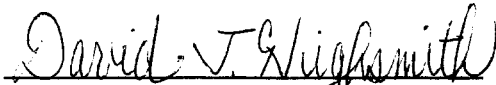
Dated: 2.11.00

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In Re: Haim Habib
Stipulated Order
ADC

LAW OFFICE OF
DAVID J. HIGHSMITH


SO STIPULATED:


DAVID J. HIGHSMITH, ESQ.
Prosecuting Counsel, GBEC.

Dated: 2/8/00


HAIM HABIB, ESQ.
Respondent, In Propria Persona

Dated: 2/8/2000


THOMAS J. LANNEN, ESQ.
Chairperson, GBEC.

Dated: 2/9/2000

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