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Date: 7/19/12 Time: 2:20
By: S. Mendiola

FILED

2012 JUL 19 AM 11: 22

SUPREME COURT
OF GUAM

IN THE SUPREME COURT OF GUAM

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6 **IN RE:**

7 **STEPHANIE FLORES,**

8 **Respondent.**

) **Supreme Court Case No.: ADC12-002**

) **ORDER RE: RESIGNATION FROM THE**
) **PRACTICE OF LAW IN GUAM**

9
10 This matter comes before the court on Respondent's Application for Leave to Resign
11 from The Practice of Law On Guam Pursuant to Rule 15; Statement of the Guam Bar
12 Association's Ethics Committee; Stipulated Recommendation re Conditions to Be Imposed
13 (collectively the "Application, Statement, and Stipulation"), filed by Respondent Stephanie
14 Flores ("Respondent") and the Guam Bar Association's Committee on Professional Ethics and
15 the Unauthorized Practice of Law ("GBEC"), on July 12, 2012. The Application, Statement, and
16 Stipulation was filed under an Attorney Discipline matter captioned as Supreme Court Case No.
17 ADC12-002.

18 **Factual and Procedural History**

19 Previously filed with this court was Respondent Stephanie Flores's Attorney Discipline
20 matter, ADC10-005, which encompassed six separate disciplinary complaints: EC07-006;
21 EC08-009; EC08-017; EC08-018; EC09-018; and EC10-035. A Judgment was entered in this
22 case on February 8, 2011. Pursuant to that Judgment, Respondent Stephanie Flores was
23 immediately suspended from the practice of law for a period of not less than two years, with all
24 but sixty (60) days deferred pursuant to Rule 12(b) of this court's Rules for the Discipline of
Attorneys. Respondent was to serve a period of probation of not less than three years nor more
than four years, subject to Respondent's compliance with all terms and conditions expressly
enumerated in the Judgment. Such conditions included restitution, reporting, cooperation, and

1 the payment of specified costs. Respondent was ordered to pay was \$10,417.00 in restitution to
2 the clients involved in the six complaints, as well as \$6,000.00 in costs and fees associated with
the investigation of these matters.

3 The GBEC filed notice with this court that Respondent had not been compliant with the
4 terms set forth in the Judgment rendered in ADC10-005. The court thereafter issued an order to
5 show cause, requiring that Respondent appear and show cause why she had not complied with
6 the conditions of the Judgment in that matter. On March 28, 2012, the parties came before the
7 court for the Order to Show Cause (OSC) hearing. At that hearing, Respondent informed the
8 court that it was her intention to file a petition to resign from the Guam bar pursuant to Rule 15
9 of the Guam Rules for the Discipline of Attorneys ("Disciplinary Rules"). Prosecuting Counsel
10 Bruce Bradley, representing the GBEC, requested that the OSC hearing be continued for a period
of sixty (60) to allow Respondent to file her Rule 15 petition and to allow the GBEC time to file
its response.

11 The parties thereafter, by stipulation, informed the court that after the March 28, 2012,
12 hearing, subsequent complaints were filed against Respondent, and advised the court that they
13 were in the midst of addressing the new complaints in the hopes of including them in a global
14 resolution of this disciplinary matter. The OSC hearing was later rescheduled for July 16, 2012.
15 Prior to that hearing, on July 12, 2012, the parties filed the new disciplinary matter, ADC12-002,
as well as the instant Application, Statement, and Stipulation.

16 This court has the authority to preside over attorney disciplinary actions through the
17 Organic Act of Guam at 48 USC § 1424-1(a)(7), Title 7 GCA § 9101, and pursuant to its Rules
for the Discipline of Attorneys. Having considered the stipulated facts and the pleadings herein,
the court finds as follows:

18 Attorney Stephanie Flores, Respondent herein, appearing *pro se*, is currently suspended
19 from the practice of law in Guam pursuant to this Court's February 8, 2011, Judgment and its
20 subsequent orders in ADC10-005. By the instant Application and sworn statement, Respondent
21 seeks leave of this court to resign from the practice of law in Guam pursuant to Rule 15 of the
22 Disciplinary Rules while she is the subject of several investigations regarding allegations of
23 further misconduct as addressed in detail below. The GBEC is a party to this pleading and has
stated that it intends for the Statement filed July 12, 2012, to stand as its position statement
regarding Respondent's application for leave to resign in the face of pending investigations of

1 misconduct and has expressly waived the notification to it contemplated by Rule 15(c) of the
2 Disciplinary Rules, as well as its opportunity to submit such matter of fact or argument on the
3 issue it may desire.

4 **Respondent's Application for Leave to Resign**

5 Pursuant to Rule 15 of the Disciplinary Rules, Respondent seeks leave of this court to
6 resign from the practice of law in Guam and expressly acknowledges that she is the subject of
7 pending investigations into allegations of misconduct as described more fully below and that are
8 separate and apart from, and thus in addition to, those incidents of misconduct already
9 adjudicated and addressed by this court's February 8, 2011, Judgment in ADC10-005.
10 Respondent further acknowledges that her application must include a sworn written statement,
11 and intends the Application, Statement, and Stipulation to be such statement. Because no
12 charges have yet been served upon Respondent regarding the pending investigations of
13 misconduct, Rule 15(b) requires that Respondent admit to the truth of the allegations that have
14 been lodged against her. Respondent signed and submitted a verification wherein she swore
15 and admitted, under the penalty of perjury and of the laws of Guam, to the truth of the
16 allegations contained in the Application, Statement, and Stipulation, and expressly consented to
17 the Supreme Court of Guam imposing whatever conditions it determines are reasonable and
18 necessary to insure the protection of the public if it grants this application for leave to resign
19 from the practice of law in Guam.

17 **Admitted Allegations in Pending Investigations of Misconduct**

- 18
- 19 **1. EC11-005:** On January 31, 2011, John Johnson retained Respondent to represent
20 him in a child custody dispute, and paid her \$2,000.00 on February 2, 2011. A
21 hearing was scheduled for February 9, 2011. On February 4, 2011, Mr. Johnson
22 emailed Respondent to confirm that everything was in order for the hearing, and
23 Respondent told Mr. Johnson that he had nothing to worry about and that she would
24 send him drafts to review. She sent nothing. On February 8, 2011, this court issued
a Judgment suspending Respondent from the practice of law in Guam in ADC10-
005. Respondent made no effort to contact Mr. Johnson regarding his hearing the

1 following morning. Respondent did not appear at court for the hearing, but other
2 counsel did and asked that the hearing be rescheduled. Between February 9 and
3 March 2, 2011, Mr. Johnson repeatedly contacted Respondent's office seeking
4 refund of his \$2,000.00. Mr. Johnson maintained a call log regarding 13 separate
5 call attempts during that time. He reached Respondent once, on February 11, 2011,
6 and Respondent assured him that she would forward the money to his new counsel.
7 As of March 3, 2011, Respondent still held Mr. Johnson's money. After Mr.
8 Johnson filed an ethics complaint and Respondent was served with it, Respondent
9 refunded the \$2,000.00 to Mr. Johnson on March 11, 2011. Respondent made no
10 effort to provide Mr. Johnson with a copy of the Judgment issued against her as
11 required.

12 **2. EC11-006:** Information regarding this matter was obtained from CNMI ethics
13 officials (described as CNMI Disciplinary Committee complaint no. 2008-01). The
14 GBEC stayed the matter at the time the information was received, awaiting a
15 determination by the CNMI ethics body regarding possible discipline, because
16 consideration of reciprocal discipline was thought to be the most efficient approach to
17 addressing the matter. Following issuance of the Judgment in ADC10-005 on
18 February 8, 2011, the stay was lifted and Rule 14 Notice was sent to Respondent
19 regarding the matter. Respondent was provided 30 days to respond to the notice,
20 which set the deadline as April 4, 2011. No response was provided by Respondent.
21 On April 5, 2011, the GBEC determined that probable cause existed to believe
22 misconduct occurred in this matter pursuant to the "choice of law" provisions of
23 Guam Rules of Professional Conduct 8.5(b) upon consideration of the fact that the
24 current ABA Model Rules of Professional Conduct govern attorney conduct in the
CNMI.

3. EC11-007: Information regarding this matter was obtained from CNMI ethics
officials (described as CNMI Disciplinary Committee complaint no. 2007-05). The
GBEC stayed the matter at the time the information was received, awaiting a
determination by the CNMI ethics body regarding possible discipline, because
consideration of reciprocal discipline was thought to be the most efficient approach to
addressing the matter. Following issuance of the Judgment in ADC10-005 on

1 February 8, 2011, the stay was lifted and Rule 14 Notice was sent to Respondent
2 regarding the matter. Respondent was provided 30 days to respond to the notice,
3 which set the deadline as Monday, April 4, 2011. No response was provided by
4 Respondent. On April 5, 2011, the GBEC determined that probable cause existed to
5 believe misconduct occurred in this matter pursuant to the "choice of law" provisions
6 of Guam Rules of Professional Conduct 8.5(b) upon consideration of the fact that the
7 current ABA Model Rules of Professional Conduct govern attorney conduct in the
8 CNMI.

9 **4. EC11-008:** Respondent represented a party in a domestic case that was in the middle
10 of trial before a Superior Court of Guam judge on February 8, 2011. In order to allow
11 for additional discovery, the trial was continued to 10:00 a.m. on March 7, 2011.
12 Later on February 8, 2011, the Judgment was issued in ADC10-005. Between
13 February 8, 2011, and March 7, 2011, it is alleged that no effort whatsoever was
14 made by Respondent to ensure that her client was protected with regard to the on-
15 going trial. A colleague of Respondent appeared at the continued trial at 10:00 a.m.
16 on March 7, 2011, and asked the judge, on behalf of Respondent, to continue the trial
17 until April 15, 2011. The colleague was contacted by Respondent that very morning,
18 March 7, 2011, asking him to cover for her at the hearing. The colleague also
19 indicated that the client had contacted him at 9:50 a.m. that morning and told him he
20 was not coming to court since he thought the matter would be continued due to
21 Respondent's suspension. Colleague did not represent the client – he appeared at the
22 hearing solely on behalf of Respondent. Opposing counsel in the case explained to
23 the judge the difficulty of not having had anyone to communicate with from and after
24 February 8, 2011, due to Respondent's suspension and her failure to ensure that her
client was taken care of with regard to the on-going trial. The judge sanctioned
Respondent's client \$300 due to the opposing party having to appear at the March 7,
2011, hearing with her attorney when the matter was not going to go forward. The
allegations of the complaint are relevant to Respondent's failure to abide by the
Judgment in ADC10-005.

5. EC11-009: Respondent was retained by a client on March 3, 2010, and paid
\$1,667.00 to cover attorney fees and costs regarding a child support and custody

1 matter. A hearing on the issue of child support occurred in April of 2010.
2 Respondent attended the hearing with her client. Another hearing was set for May of
3 2010. Respondent told her client he did not need to attend the May 2010 hearing.
4 Throughout 2010, the client repeatedly contacted Respondent's office trying to figure
5 out the status of his case but was never able to get any information. In 2011, the
6 client contacted Respondent's office and was told that the case had been filed and was
7 before a certain trial court judge and that they just needed the judge's signature on a
8 document they had allegedly filed three times. There is no record in the Superior
9 Court of Guam trial court case of Respondent filing anything whatsoever, other than
10 the original complaint and accompanying documents, with regard to custody or child
11 support. The allegations of the complaint are relevant to Respondent's failure to
12 abide by the Judgment in ADC10-005. This client has confirmed that Respondent
13 had not provided him with a copy of the Judgment in ADC10-005.

14 **6. EC11-011:** Respondent was retained on October 18, 2010, and paid \$3,000.00 to
15 represent the client in a child custody case. On November 10, 2010, a hearing set
16 before a trial court judge was reset for November 17, 2010. Client informed both
17 Respondent and her office staff of the new date and time. On November 17, 2010,
18 Respondent failed to attend the hearing. Client found her in the courthouse and
19 reminded her of the hearing, to which Respondent stated that she did not know about
20 the hearing. Respondent later assured client that she would do all she could to
21 expedite the matter, and that she would file an ex parte pleading to do so. After
22 several calls to Respondent's office by client and several planned appointments that
23 were cancelled by Respondent, a declaration was prepared and signed by client on
24 December 9, 2010, regarding a purported ex parte pleading that was to be filed
promptly by Respondent. As of December 20, 2010, Respondent had filed nothing
and had provided client with no explanation of why not. Due to Respondent missing
important meeting and hearing dates and client's determination that Respondent was
not properly handling her case, client retained alternate counsel and informed
Respondent of this fact in writing on December 22, 2010. In that writing the client
expressly requested a full and detailed accounting and reimbursement of the pre-paid
funds not earned by Respondent. Following client's decision to retain different

1 counsel, client repeatedly tried to obtain an accounting and refund from Respondent.
2 As of April 5, 2011, Respondent had provided no accounting to client and had
3 reimbursed none of the \$3,000.00 paid by client. The allegations of the complaint are
4 relevant to Respondent's failure to abide by the Judgment in ADC10-005. This client
5 has confirmed that Respondent had not provided him with a copy of the judgment in
6 this matter.

7 Respondent admits that she violated the following provisions of the Guam Rules of
8 Professional Conduct (GRPC) in each and every one of the separate matters described in
9 paragraphs 1-6 above:

10 **GRPC 1.1 Competence.** A lawyer shall provide competent representation to a client.

11 **GRPC 1.3 Diligence.** A lawyer shall act with reasonable diligence and promptness in
12 representing a client.

13 **GRPC 1.4 Communication.** (a) A lawyer shall: . . . (3) keep the client reasonably
14 informed about the status of the matter; and (4) promptly comply with reasonable
15 requests for information.

16 **GRPC 1.5 Fees.** (a) A lawyer shall not make an agreement for, charge, or
17 collect an unreasonable fee or an unreasonable amount for expenses.

18 **7. EC11-013:** Respondent was retained by Deborah Elliot in July or August, 2009, to
19 represent her in a criminal misdemeanor assault case. Approximately three court
20 hearings occurred between the time Respondent was retained and May 2010. Ms.
21 Elliot alleges that although she repeatedly asked for information, Respondent failed
22 to inform her of the status of her case or inform her at any time of what might occur
23 at any of the hearings. Ms. Elliot moved off-island in May 2010 and executed a
24 statement prepared by Respondent indicating that she would represent Ms. Elliot in
her absence. Respondent was paid \$3,500.00 by Ms. Elliot as a flat fee to represent
her throughout the entire trial court case. No engagement letter appears to have been
executed. Ms. Elliot complains that Respondent has been unresponsive to her
requests for information since the beginning of the representation and that
Respondent has never provided her with an explanation of the status of her case or

1 any explanation regarding why it has taken so long, although she has requested such
2 information from Respondent on many occasions. Ms. Elliot has had to secure
3 alternate counsel.

4 **8. EC11-016:** Respondent was retained by Terry Ptack in early 2010 to represent him in
5 his divorce case from its beginning to its conclusion. Respondent filed DM0207-10
6 on his behalf. Mr. Ptack paid Respondent \$3,750.00 as a flat fee. No engagement
7 letter appears to have been executed. Mr. Ptack now resides in Arizona. He alleges
8 that Respondent has routinely and repeatedly failed to communicate with him
9 regarding the status of his case in spite of his repeated telephone calls and emails
10 seeking information. Mr. Ptack has had to secure alternate counsel.

11 **9. EC11-017:** Respondent was retained by Peter Santos in August 2009 to file a quiet
12 title action on his behalf in order to clear a cloud on a parcel of real property. Mr.
13 Santos paid Respondent \$750.00. Despite Mr. Santos' repeated efforts to obtain
14 information from Respondent and his repeated reminders to Respondent's assistant,
15 Mr. Pickelsimer, that he wanted the matter to be filed in the Superior Court, it appears
16 that no court case was ever filed by Respondent on his behalf and no legal work
17 whatsoever was performed by Respondent on his behalf.

18 **10. EC11-024:** Mr. Alger retained Respondent in October 2008 to represent him in a
19 criminal case in federal court and paid her approximately \$30,000.00. It appears that
20 there was no written fee agreement. Mr. Alger alleges that Respondent's fee was
21 unreasonable and excessive and that Respondent failed to communicate with him
22 although he tried on several occasions to reach her. In or around February 2010,
23 during oral argument on his motion to suppress evidence immediately preceding
24 trial, it appears that Respondent referred to purported case authority that neither the
federal judge nor her staff could locate. When later asked to provide more
information about the case authority, Respondent failed to do so. Rather,
Respondent began urging her client to plead guilty just as jury selection started in the
case. Mr. Alger alleges that Respondent appeared unprepared throughout the case.
Further, Mr. Alger alleges that Respondent assured him she would prepare witnesses
on his behalf for his sentencing hearing but that she did nothing at all to prepare for
the sentencing hearing.

1
2 Respondent admits that she violated the following provisions of the GRPC in each and
3 every one of the separate matters described in paragraphs 7-10 above:

4 **GRPC 1.1 Competence.** A lawyer shall provide competent representation to a client.

5 **GRPC 1.3 Diligence.** A lawyer shall act with reasonable diligence and promptness in
6 representing a client.

7 **GRPC 1.4 B Communication.** (a) A lawyer shall: . . . (3) keep the client reasonably
8 informed about the status of the matter; and (4) promptly comply with reasonable
9 requests for information.

10 **GRPC 1.5 B Fees.** (a) A lawyer shall not make an agreement for, charge, or
11 collect an unreasonable fee or an unreasonable amount for expenses.

12 **11. EC11-028:** In June of 2010, Linda Cruz retained Respondent on behalf of her
13 incarcerated son and paid her \$3,000.00 to handle her son's divorce case.
14 Respondent failed to communicate with her client or Ms. Cruz over the next ten
15 months. Ms. Cruz eventually learned, on her own, that Respondent had been
16 suspended from the practice of law in February 2011. Respondent did not do the
17 legal work she was hired to do, did not properly communicate with her client, and
18 charged an excessive fee.

19 Respondent admits that she violated the following provisions of the GRPC in the matter
20 described in paragraph 11 above:

21 **GRPC 1.4 Communication.** (a) A lawyer shall: . . . (3) keep the client reasonably
22 informed about the status of the matter; and (4) promptly comply with reasonable
23 requests for information.

24 **GRPC 1.1 Competence.** A lawyer shall provide competent representation to a client.

GRPC 1.3 Diligence. A lawyer shall act with reasonable diligence and promptness in
representing a client.

GRPC 1.5 B Fees. (a) A lawyer shall not make an agreement for, charge, or collect an
unreasonable fee or an unreasonable amount for expenses.

1 **12. EC11-029:** Mr. Frumencio Patacsil retained Respondent in mid-2010 to represent
2 him in a felony family violence case. There was no legal services agreement
3 executed. Mr. Patacsil paid Respondent a flat fee of \$2,750.00 to represent him
4 through the conclusion and resolution of his case. Respondent did not inform Mr.
5 Patacsil until April or May of 2011, several months after she had already been
6 suspended by the Supreme Court of Guam, that she could no longer represent him,
7 claiming it was due to her poor health. Respondent failed to properly communicate
8 with Mr. Patacsil for many months regarding the status of his case, although he
9 asked her for information repeatedly. While Respondent did appear at continued
10 trial setting hearings on October 5, 2010, November 9, 2010, January 25, 2011, and
11 February 8, 2011, she never explained to her client what was going on. Respondent
12 was provided with a proposed plea agreement on February 8, 2011, the same day she
13 was suspended by this court. A colleague of Respondent covered the continued
14 criminal trial setting hearings thereafter on February 22, 2011, March 8, 2011, and
15 April 26, 2011; however, Mr. Patacsil was never informed that Respondent could no
16 longer represent him. Eventually, the Public Defender Service Corporation was
17 appointed to represent Mr. Patacsil on June 6, 2011.

18 Respondent admits that she violated the following provisions of the GRPC in the matter
19 described in paragraph 12 above:

20 **GRPC 1.4 Communication.** (a) A lawyer shall: . . . (3) keep the client reasonably
21 informed about the status of the matter; and (4) promptly comply with reasonable
22 requests for information.

23 **GRPC 1.5 Fees.** (a) A lawyer shall not make an agreement for, charge, or collect an
24 unreasonable fee or an unreasonable amount for expenses.

25 **13. EC11-036:** Peter Alvarez retained Respondent in early 2009, and paid her \$1,000.00
26 to assist him in a civil action in which default judgment had been entered against
27 him. At a judgment debtor exam (JDX) hearing on April 16, 2009, Respondent
28 informed the court that a motion to set aside the judgment would be filed that day.
29 The JDX was continued to May 14, 2009, at which time the parties asked for another

1 continuance. No motion to set aside the judgment had yet been filed by Respondent.
2 At the continued JDX hearing on May 21, 2009, Respondent told the court that the
3 motion to set aside the judgment had already been filed in the case, but must be in
4 the system somewhere being processed. In fact, no motion to set aside the judgment
5 had yet been filed by Respondent, and no such motion was ever filed by Respondent.

6 Respondent admits that she violated the following provisions of the GRPC in the matter
7 described in paragraph 13:

8 **GRPC 1.1 Competence.** A lawyer shall provide competent representation to a client.

9 **GRPC 1.3 Diligence.** A lawyer shall act with reasonable diligence and promptness in
10 representing a client.

11 **GRPC 3.3 Candor Toward the Tribunal.** (a) A lawyer shall not knowingly: (1) make
12 a false statement of fact or law to a tribunal

13 **GRPC 1.5 Fees.** (a) A lawyer shall not make an agreement for, charge, or collect an
14 unreasonable fee or an unreasonable amount for expenses.

15 **14. EC12-013:** Anthony H. Mendiola, II, retained Respondent and paid her \$10,000.00
16 in January 2010, in anticipation of a possible criminal investigation that might
17 involve him. Nothing ever came of the matter, and no legal work was required or
18 performed by Respondent, yet no refund was provided to Mr. Mendiola.

19 Respondent admits that she violated the following provisions of the GRPC in the matter
20 described in paragraph 14 above:

21 **GRPC 1.5 Fees.** (a) A lawyer shall not make an agreement for, charge, or collect
22 an unreasonable fee or an unreasonable amount for expenses.

23 **15. EC12-016:** Tricia Condoleta retained Respondent to represent her in both a criminal
24 case and a probate case, and paid her \$27,650.00 in legal fees. Respondent regularly
25 failed to respond to Ms. Candoleta's requests for status updates regarding the
26 probate mater, and on nine different occasions did not file pleadings with the court
27 that she assured Ms. Candoleta would be filed. Respondent's failure to diligently

1 handle the probate matter resulted in \$10,000.00 in excessive attorney's fees being
2 paid to her by Ms. Candoleta.

3 Respondent admits that she violated the following provisions of the GRPC in the matter
4 described in paragraph 15 above:

5 **GRPC 1.4 B Communication.** (a) A lawyer shall: . . . (3) keep the client reasonably
6 informed about the status of the matter; and (4) promptly comply with reasonable
7 requests for information.

8 **GRPC 1.3 B Diligence.** A lawyer shall act with reasonable diligence and promptness in
9 representing a client.

10 **GRPC 1.5 B Fees.** (a) A lawyer shall not make an agreement for, charge, or collect an
11 unreasonable fee or an unreasonable amount for expenses.

12 The GBEC, by its filing of the Application, Statement, and Stipulation, concurs in
13 Respondent's application for leave to resign in the face of pending investigations of misconduct,
14 and requests that the application be granted and that this court impose terms and conditions
15 upon Respondent as it deems appropriate. Based on this court's review of the allegations and
16 admissions contained herein, the court hereby **ACCEPTS** the resignation of Respondent
17 Stephanie Flores from the practice of law in Guam, pursuant to Rule 15 of the Disciplinary
18 Rules.

19 **Terms and Conditions of Respondent's Resignation**

20 The following shall constitute the court's order regarding the terms and conditions of
21 Respondent's resignation from the practice of law in Guam:

- 22 A. That Respondent shall comply with Rule 18 of the Disciplinary Rules relating to
23 notification of clients, together with the other procedural requirements of Rule
24 18; and
- 25 B. That Respondent shall waive all rights to seek reinstatement to the practice of
26 law in Guam for a period of three (3) years, and that any such effort to seek
27 reinstatement shall comply with the requirements of Rule 20 of the Supreme
28 Court of Guam's Rules for the Discipline of Attorneys; and

1 C. That Respondent is ordered to pay restitution in the matters addressed above in
2 the total amount of \$85,867.00 through the office of the GBEC Ethics Prosecutor
3 to the individuals identified below. However, victims addressed in the Judgment
4 in ADC10-005 to whom restitution was ordered shall be paid first, followed by
5 payments to the victims addressed herein. Further, any restitution payments
6 submitted to the office of the GBEC Ethics Prosecutor shall be apportioned pro
7 rata to the victims each quarter or when at least \$10,000.00 toward restitution has
8 been submitted by Respondent, whichever is sooner in time. Restitution shall be
9 paid as follows:

- 10 1. EC11-005: N/A
- 11 2. EC11-006: \$15,000 to Eloisa L. San Nicolas (Saipan)
- 12 3. EC11-007: \$1,500 to Juan Torres (Saipan)
- 13 4. EC11-008: N/A
- 14 5. EC11-009: \$1,667 to David Artero
- 15 6. EC11-011: \$3,000 to Elizabeth Cevallos
- 16 7. EC11-013: \$3,500 to Deborah Elliott
- 17 8. EC11-016: \$3,700 to Terry Ptack
- 18 9. EC11-017: \$750 to Peter D.V. Santos
- 19 10. EC11-024: \$30,000 to James Alger
- 20 11. EC11-028: \$3,000 to Linda Cruz
- 21 12. EC11-029: \$2,750 to Frumencio A. Patacsil
- 22 13. EC11-036: \$1,000 to Peter Alvarez
- 23 14. EC12-013: \$10,000 to Anthony H. Mendiola
- 24 15. EC12-016: \$10,000 to Tricia Condoleta

D. That Respondent shall be assessed costs, expenses, and attorney's fees incurred
by the GBEC for investigating and prosecuting Respondent in the matters
addressed herein and currently pending before the GBEC in the total amount of
\$7,500.00 with such amount, together with the \$6,000.00 in fees and costs

1 assessed in ADC10-005, to be paid by Respondent only after restitution in this
2 case (as well as in ADC10-005) has been fully satisfied; and

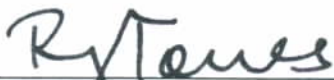
3 E. That Respondent shall be assessed all costs, expenses, and attorney's fees related
4 to preparation and publication of one notice in the Pacific Daily News and one
5 notice in the Guam Marianas Variety newspapers, with each of the two
6 publications expressly stating that an order has issued from this court accepting
7 Respondent's resignation from the Guam Bar Association in the face of pending
8 ethics charges based on her admissions to all allegations pending against her,
9 with such notices to be prepared and published by the GBEC; and

10 F. That Respondent shall be assessed the costs and expenses incurred by the
11 Judiciary of Guam in retaining Rule 19 counsel in ADC10-005, to be paid by
12 Respondent after full satisfaction of restitution and attorney's fees and costs in
13 both ADC10-005 and ADC12-002, in order that the Guam Bar Association
14 might reasonably seek reimbursement from the Supreme Court of Guam of the
15 funds it provided to the court pursuant to the court's order to cover such expense;
16 and

17 G. That Respondent shall fully cooperate with the GBEC Ethics Prosecutor's
18 continued investigation regarding any other possible misconduct Respondent
19 may have been engaged in.

20 Respondent's resignation from the practice of law in Guam shall be effective
21 immediately upon issuance of this Order.

22 **SO ORDERED** this 19th day of July, 2012.

23 

24 **ROBERT J. TORRES**
Associate Justice



KATHERINE A. MARAMAN
Associate Justice



F. PHILIP CARBULLIDO
Chief Justice

I do hereby certify that the foregoing is a
full true and correct copy of the original
file in the office of the clerk of the
Supreme Court of Guam.

JUL 19 2012