

FILED

MAY 29 2012

Daniel A. Hagan
CLERK BOONE CIRCUIT COURT

In the
Indiana Supreme Court



In the Matter of:
Julia E. DIMICK,

Respondent.

) Supreme Court Cause No.
) 49S00-1107-DI-455
)

PUBLISHED ORDER APPROVING STATEMENT OF CIRCUMSTANCES
AND CONDITIONAL AGREEMENT FOR DISCIPLINE

Pursuant to Indiana Admission and Discipline Rule 23(11), the Indiana Supreme Court Disciplinary Commission and Respondent have submitted for approval a "Statement of Circumstances and Conditional Agreement for Discipline" stipulating agreed facts and proposed discipline as summarized below:

Stipulated Facts: A couple holding themselves out as husband and wife were plaintiffs in a trade defamation suit, which settled for \$10,000. After their attorneys withdrew, the husband asked attorney "SAB" to assist in completing the settlement. When the paperwork was completed, the \$10,000 was applied to a debt the husband owed to SAB on an unrelated matter. SAB believed that the husband and wife had discussed that matter and that the wife had no objection to this payment.

The wife later filed for divorce. SAB entered his appearance for the husband and moved to dismiss, alleging the parties were not lawfully married. While the divorce proceeding was still pending (it was eventually dismissed), the wife retained Respondent regarding a potential claim against SAB for the handling of the settlement funds. Respondent sent SAB a letter alleging professional misconduct, including having a conflict of interest barring him from representing the husband, lack of candor, and conversion of the settlement funds. The letter gave SAB a "window of opportunity" to resolve the matter. Respondent stated that if she did not hear from him within that time, "I will file [the wife's] claims with the Indiana Disciplinary Commission and in state court." Thus, the letter implied that Respondent would file a grievance against SAB unless SAB made a settlement offer.

The parties cite no facts in aggravation. The parties cite the following facts in mitigation: (1) Respondent has no disciplinary history; and (2) Respondent was cooperative with the Commission.

Violation: The parties agree that by using the threat of reporting professional misconduct to obtain a settlement proposal in a prospective civil action, Respondent violated Indiana Professional Conduct Rule 8.4(d), which prohibits engaging in conduct prejudicial to the administration of justice:

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MAY 29 2012

Danny D. Boyan
CLERK BOONE CIRCUIT COURT

In the
Indiana Supreme Court



In the Matter of:) Supreme Court Cause No.
Mark J. THORNBURG,) 49S00-1112-DI-695
Respondent.)

PUBLISHED ORDER CORRECTING SCRIVENER'S ERROR

On April 10, 2012, this Court entered a "Published Order Approving Statement of Circumstances and Conditional Agreement for Discipline" in which the beginning date of Respondent's probation was erroneously stated as April 28, 2012. The error is hereby corrected to read April 28, 2011.

The Clerk is directed to forward a copy of this Order to the parties or their respective attorneys and to all other entities entitled to notice under Admission and Discipline Rule 23(3)(d). The Clerk is further directed to post this order to the Court's website, and Thomson Reuters is directed to publish a copy of this order in the bound volumes of this Court's decisions.

DONE at Indianapolis, Indiana, this 25th day of May, 2012.

Brent E. Dickson
Brent E. Dickson
Chief Justice of Indiana

All Justices concur.

FILED

MAY 29 2012

FILED

MAY 25 2012

Shirley L. Adams
CLERK OF THE
INDIANA SUPREME COURT
COURT OF APPEALS
AND TAX COURT

In the
Indiana Supreme Court
Denny S. Hagan
CLERK BOONE CIRCUIT COURT

In the Matter of:) Supreme Court Cause No.
Kjell P. ENGBRETSSEN,) 06S00-1106-DI-346
Respondent.)

PUBLISHED ORDER CONVERTING SUSPENSION FOR NONCOOPERATION
WITH THE DISCIPLINARY PROCESS TO INDEFINITE SUSPENSION

On September 2, 2011, pursuant to Indiana Admission and Discipline Rule 23(10)(f), this Court suspended Respondent from the practice of law in this State for failing to cooperate with the Disciplinary Commission concerning a grievance filed against Respondent. The Disciplinary Commission has now moved to convert Respondent's suspension to an indefinite suspension from the practice of law pursuant to Admission and Discipline Rule 23(10)(f)(4). Respondent has not responded to the Commission's motion to convert the current suspension.

The Court finds that more than six months have passed since Respondent was suspended due to noncooperation with the disciplinary process. Accordingly, the Court concludes that Respondent's suspension should be converted to an indefinite suspension from the practice of law pursuant to Admission and Discipline Rule 23(10)(f)(4).

IT IS THEREFORE ORDERED that Respondent's current suspension from the practice of law for failure to cooperate with the disciplinary process is converted to an indefinite suspension, effective immediately. Respondent is ordered to fulfill the continuing duties of a suspended attorney under Admission and Discipline Rule 23(26). To be readmitted to the practice of law in this State, Respondent must cure the causes of all suspensions in effect and successfully petition this Court for reinstatement pursuant to Admission and Discipline Rule 23(4) and (18).

The Clerk of this Court is directed to forward notice of this order to Respondent by certified mail, return receipt requested, at the address reflected in the Roll of Attorneys; to the Disciplinary Commission; and to all other entities entitled to notice under Admission and Discipline Rule 23(3)(d). The Clerk is further directed to post this order to the Court's website, and Thomson Reuters is directed to publish a copy of this order in the bound volumes of this Court's decisions.

DONE at Indianapolis, Indiana, this 25th day of May, 2012.

Brent E. Dickson
Brent E. Dickson
Chief Justice of Indiana

All Justices concur.