

REINSTATED ATTORNEY

EMILE J. HARMON

Bar No. 024409; File No. 10-1305

PDJ No. 2012-9103

By the presiding disciplinary judge's amended order filed Nov. 15, 2012, Emile J. Harmon, Tempe, Ariz., was reinstated as an active State Bar member, and placed on probation for two years, effective the date of the order.

SANCTIONED ATTORNEYS

KEVIN MARC BUMSTEAD

Bar No. 024337; File Nos. 12-0953, 12-1154

PDJ No. 2012-9082

By judgment and order dated Oct. 31, 2012, Kevin Bumstead, Peoria, was disbarred.

In count one, during his representation of three clients, Mr. Bumstead settled the cases and endorsed and negotiated three settlement checks totaling \$18,220 without his clients' knowledge or consent. Mr. Bumstead also failed to respond timely to the lawful requests of the State Bar for information during a disciplinary investigation.

In count two, while suspended from the practice of law and during his representation of a client, Mr. Bumstead settled the case and endorsed and negotiated a settlement check for \$62,500 without his client's knowledge or consent. Mr. Bumstead also failed to respond timely to the lawful requests of the State Bar for information during a disciplinary investigation.

Aggravating factors: dishonest or selfish motive, pattern of misconduct, multiple offenses, bad-faith obstruction of the disciplinary proceeding, refusal to acknowledge wrongful nature of conduct, substantial experience in the practice of law, indifference to making restitution and illegal conduct.

Mr. Bumstead was found to have violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.2, 1.3, 1.4(a)(1-4), 1.4(b), 1.15(a), 1.15(d), 5.5, 8.1, 8.4(b), 8.4(c), and 8.4(d) and Rules 43 and 54(d), ARIZ.R.S.CT. Mr. Bumstead was ordered to pay restitution totaling \$80,720 as well as the State Bar's costs and expenses of \$2,000.30.

ALAN E. GOODING

Bar No. 023060; File Nos. 11-0421, 11-0976, 11-2125, 11-2369, 11-2412, 11-2526, 11-2686, 11-2763, 11-2960, 11-3628, 11-3909

PDJ No. 2012-9070

By order of the presiding disciplinary judge dated Nov. 14, 2012 Alan E. Gooding, Tucson, was suspended for three years and ordered to pay restitution in one matter. If reinstated, Mr. Gooding will be placed on probation for two years and report to a practice monitor. Other terms of probation will be decided at the time of reinstatement. Mr. Gooding was also assessed the costs and expenses of the disciplinary proceeding.

Mr. Gooding defaulted on a 10-count com-

plaint the State Bar filed against him. In most of the counts, Mr. Gooding also failed to respond to the State Bar's request for information.

In most of the 10 counts, he was found not to have been diligent and to have failed to communicate with clients. He also failed to return client files, accepted a new roof on his home in lieu of attorney's fees in one matter, and lied to the client in another. In several of the counts, he also was found to have practiced while suspended, including failing to withdraw from pending litigation and failing to advise clients that he was suspended. Mr. Gooding had been suspended for six months and one day, effective in May 2011, and while eligible to apply for reinstatement beginning in November 2011, had not.

Aggravating factors: prior disciplinary offenses, pattern of misconduct, multiple offenses, bad-faith obstruction of the disciplinary proceeding, refusal to acknowledge wrongful nature of conduct, substantial experience in the practice of law, and indifference to making restitution.

Mitigating factor: personal or emotional problems.

Mr. Gooding violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.2(a), 1.3, 1.4(a)(1), (3) and (4), 1.8(a), 1.15(d), 3.2, 5.5(a), 8.1(b), and 8.4 (c) and (d), and Rules 31(a), 54(d)(1) and (2), 72(a) and (b), ARIZ.R.S.CT.

JAMES N. HANKEY

Bar No. 016526; File Nos. 11-2357, 12-0576

PDJ No. 2012-9054

By judgment and order dated Oct. 23, 2012, the presiding disciplinary judge accepted an agreement for discipline by consent by which James N. Hankey, Phoenix, was suspended for six months effective Dec. 23, 2012. He also was assessed the costs and expenses of the disciplinary proceedings.

Mr. Hankey intentionally used methamphetamines for approximately two years. He negligently engaged in the unauthorized practice of law while he was summarily suspended for not paying bar dues.

Aggravating factor: Illegal conduct, including that involving the use of controlled substances.

Mitigating factors: full and free disclosure to disciplinary board or cooperative attitude toward proceedings, absence of prior disciplinary record, chemical dependency, and remorse.

Mr. Hankey violated Rule 42, ARIZ.R.S.CT., specifically ERs 5.5 and 8.4(b).

JEFFREY S. SIIRTOLA

Bar No. 011717; File No. 11-0033-R

PDJ No. 2012-9032

By order dated Sept. 26, 2012, the Arizona Supreme Court dismissed the reinstatement

CAUTION! Nearly 17,000 attorneys are eligible to practice law in Arizona. Many attorneys share the same names. All discipline reports should be read carefully for names, addresses and Bar numbers.

application filed by Jeffrey S. Siirtola, Sierra Vista, Ariz. Mr. Siirtola failed to establish to the satisfaction of the hearing panel and the Court that he is qualified for reinstatement to active bar membership.

RYAN M. WACKERLY

Bar No. 022077; File No. 11-2964

PDJ No. 2012-9094

By an Oct. 26, 2012 order of the presiding disciplinary judge, Ryan M. Wackerly, Phoenix, was suspended for six months and one day. He also was assessed the costs and expenses of the disciplinary proceeding. Mr. Wackerly's suspension resulted from his failure to comply with probation terms associated with a disciplinary sanction imposed against him on Mar. 20, 2012.

On Sept. 6, 2012, the State Bar filed a notice that Mr. Wackerly had not complied with the terms of probation. He failed to appear for the non-compliance hearing on Oct. 10, 2012. At the hearing, the presiding disciplinary judge found that Mr. Wackerly had violated the terms of his probation.

Aggravating factor: Substantial experience in the practice of law.

Mitigating factor: Personal and emotional problems.

Mr. Wackerly violated Rule 54(c), ARIZ.R.S.CT.

GRADY S. WADE

Bar No. 025811; File Nos. 11-4021, 12-0002, 12-0031, 12-0115, 12-0131, 12-0255, 12-0261, 12-0363, 12-0390, 12-0421, 12-0427, 12-0534, 12-0566, 12-0696, 12-0802, 12-0954, 12-1147, and 12-1270

PDJ No. 2012-9074

By judgment and order of the presiding disciplinary judge dated Oct. 31, 2012, Grady S. Wade, Tucson, was disbarred effective immediately. He also was assessed the costs and expenses of the disciplinary proceeding and ordered to pay restitution and participate in fee arbitration.

The disbarment was based on Mr. Wade abandoning his law practice and clients following his arrest in December 2011, his failure to refund unearned fees to clients, and his failure to respond to the State Bar's investigation.

Aggravating factors: A pattern of misconduct, multiple offenses, indifference to making restitution and illegal conduct.

Mitigating factor: Absence of prior discipline.

Mr. Wade violated Rule 42, ARIZ.R.S.CT., specifically ERs 1.3, 1.4(a)(4), 1.5(a), 1.5(b), 1.15(d), 1.16, 3.2, 3.4(a), 3.4(d), 8.1(b) and 8.4(d) and Rule 53(c), 53(d) and 53(f), ARIZ.R.S.CT.