

FILED

JUL 08 2013

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

MICHAEL JOHN GAINER

Lawyer

WSBA No. 20219

ADMONITION

WSBA File No. 12-02126

Pursuant to Rule 13.5(a) of the Rules for Enforcement of Lawyer Conduct (ELC), a review committee of the Disciplinary Board issues the following admonition:

ADMISSION TO PRACTICE

1. At all times material to the complaint herein, you practiced law in the state of Washington.

FACTS

2. In 2011, you accepted a \$2,000 advance fee deposit to represent a client in a dissolution action.
3. Your fee agreement stated that you billed monthly. During the five months you represented the client, you did not send any monthly bills.
4. The client contacted you by email and certified letter requesting an accounting and a refund. You did not provide refund. You provided an invoice on December 14, 2012, after your representation was terminated and the client filed a grievance.

MISCONDUCT

5. By failing to promptly provide your client a written accounting when requested, your conduct violated RPC 1.15A(c).
6. By failing to promptly comply with your client's requests for information about her case and the fees you were charging, your conduct violated RPC 1.4(a)(4).

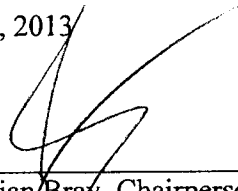
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ADMONITION

YOU ARE HEREBY ADMONISHED FOR THIS MISCONDUCT. This admonition is not a disciplinary sanction, but is a disciplinary action, and shall be admissible in evidence in subsequent discipline or disability proceedings involving you.

You may protest the issuance of this Admonition by filing a written notice of protest with the Association-Attention: Clerk to the Disciplinary Board, within 30 days of the service of this Admonition upon you. Upon receipt of a timely protest, this Admonition shall be rescinded, and the grievance by shall be deemed ordered to hearing.

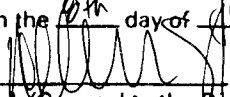
Dated this 5 day of July, 2013



Julian Bray, Chairperson
Review Committee 1

CERTIFICATE OF SERVICE

I certify that I caused a copy of the Admonition
to be delivered to the Office of Disciplinary Counsel and to be mailed
to Michael Gainer Respondent/Respondent's Counsel
at 100 N. 1st St. #2 Spokane WA 99201, by Certified first class mail,
postage prepaid on the 10th day of July, 2013



Clerk/Counsel to the Disciplinary Board