

1
2
3
4
5
6
7 BEFORE THE
8 DISCIPLINARY BOARD
9 OF THE
WASHINGTON STATE BAR ASSOCIATION

10 In re

11 **D. ANGUS LEE,**
12 Lawyer (Bar No. 36473).

Proceeding No. 12#00037

ORDER REGARDING RESPONDENT'S
MOTION TO AMEND HEARING
OFFICER'S DECISION

13
14 Having considered the Respondent's Motion to Amend, Modify & Correct Hearing
15 Officer's Decision – ELC 10.16(c), filed on March 23, 2015, supported by Counsel's
16 Declaration Authenticating Documents, filed on March 23, 2015; ODC's Response To
17 Respondent's Motion to Amend, filed on March 30, 2015; and _____
18 (Respondent's reply, if applicable), as well as the testimony and exhibits admitted at hearing in
19 this proceeding, IT IS HEREBY ORDERED:


- 20 1. Respondent's motion to modify conclusions of law regarding the violations of
21 Counts Two and Three as set forth in Paragraphs 56 and 57 of the Hearing Officer's
Findings of Fact, Conclusions of Law and Recommendation is denied.
22 2. Respondent's motion to modify Paragraphs 37 and 38 is denied in part and granted
23 in part. Paragraph 37 is amended as follows:
24

1
2 37. Respondent assigned the John Doe/Dalluge matter to Mr. Lin for
3 a charging decision or a decision whether further investigation was
4 warranted. Mr. Lin properly determined that Mr. Lin had a conflict of
5 interest, precluding Mr. Lin from acting in that matter. At the time the
6 matter was initially assigned to Lin, Respondent may not have been
7 aware of the circumstances giving rise to Lin's conflict of interest.
8 However, Respondent's actions on and after September 18, 2009 were
9 taken knowing that Mr. Lin had a conflict of interest regarding the matter.

10
11 3. Respondent's motion to modify Paragraphs 52, 53 and 66 is denied in part and
12 granted in part. Paragraph 53 is amended as follows:

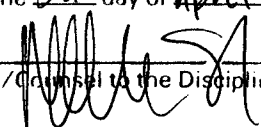
13 53. There was a significant risk that Respondent's actions in handling
14 the June 5th District Court judge/traffic collision matter would be
15 materially limited by Respondent's personal interests and his office's
16 interests. Accordingly, Respondent had a personal conflict of interest
17 when he handled the June 5th District Court judge/traffic collision matter,
18 by assigning it to Albert Lin and by later deciding to take no action on the
19 matter.

20 DATED this 1st day of April, 2015.

21
22 
23 Terence Michael Ryan
24 Hearing Officer

20 CERTIFICATE OF SERVICE

21 I certify that I caused a copy of the Order re Respondent's Motion to Amend
22 to be delivered to the Office of Disciplinary Counsel and to be mailed HO's Decision
23 to Michael McFarland Respondent/Respondent's Counsel
24 at 615 W. Riverside Ave. 230 Spokane, WA 99201
postage prepaid on the 3rd day of April, 2015


Clerk/Counsel to the Disciplinary Board