



BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

D ANGUS LEE,

Lawyer (WSBA No. 36473)

Proceeding No. 12#00037

DISCIPLINARY BOARD ORDER

This matter came before the Disciplinary Board at its May 6, 2016 meeting, on Respondent's appeal of Hearing Officer Terrance Ryan's March 2, 2015, Findings of Fact, Conclusions of Law and Recommendation, recommending reprimand.

The Board reviews the hearing officer's finding of fact for substantial evidence. The Board reviews conclusions of law and sanction recommendations de novo. Evidence not presented to the hearing officer or panel cannot be considered by the Board. ELC 11.12(b).

Having reviewed the materials submitted, and considered the applicable case law and rules,

IT IS HEREBY ORDERED THAT:

1. The Hearing Officer's Conclusion of Law that Respondent violated RPC 1.7 as charged in Count 1 of the Formal Complaint is reversed. It was not proven by a clear preponderance of the evidence that Respondent engaged in a conflict of interest by being involved in the Neils/Dalluge matter. Count 1 is dismissed.¹

¹ The vote on Count 1 was 7-5. Those voting to reverse the Hearing Officer's Conclusion with respect to Count 1 were: Davis, Coy, Fischer, Startzel, Myers, Egeler and Carney. Those voting to adopt the Hearing Officer's Conclusion that Respondent violated RPC 1.7 as charged in Count 1 were: Denton, Berger, Cottrell, Silverman and Smith. Andeen and Bloomfield did not participate.

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