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DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re

NICHOLE DANELLE FISHER,

Lawyer (Bar No. 54253).

Proceeding No. 25#00020

ODC File No(s). 24-00892, 24-01102, 24-01121, 24-01127, 24-01893, 25-00301, 25-00450

STIPULATION TO SUSPENSION

Under Rule 9.1 of the Washington Supreme Court’s Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to Suspension is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsels Thea Jennings and Kathy Jo Blake and Respondent lawyer Nichole Danelle Fisher.

Respondent understands that Respondent is entitled under the ELC to a hearing, to present exhibits and witnesses on Respondent’s behalf, and to have a hearing officer determine the facts, misconduct and sanction in this case. Respondent further understands that Respondent is entitled under the ELC to appeal the outcome of a hearing to the Disciplinary Board, and, in certain cases, the Supreme Court. Respondent further understands that a hearing and appeal could result in an

1 outcome more favorable or less favorable to Respondent. Respondent chooses to resolve this
2 proceeding now by entering into the following stipulation to facts, misconduct and sanction to
3 avoid the risk, time, expense attendant to further proceedings.

4 **I. ADMISSION TO PRACTICE**

5 1. Respondent was admitted to practice law in the State of Washington on October 22,
6 2018. Respondent was suspended under ELC 7.2(a)(3) on June 25, 2025.

7 **II. STIPULATED FACTS**

8 Carrougher Grievance

9 2. Kellen Carrougher hired Respondent to represent Kellen¹ on a Minor in Possession of
10 Alcohol charge for a flat fee of \$2,500. Kellen's mother Jennifer paid the fee. Respondent did
11 not obtain Kellen's informed consent to have Jennifer pay for the representation.

12 3. Respondent never discussed Kellen's case with Kellen and did not communicate with
13 Kellen about Kellen's May 28, 2024 pretrial hearing date.

14 4. Respondent received an offer from the state but did not communicate the offer to
15 Kellen.

16 5. On May 28, 2024, Respondent told Jennifer that Respondent just heard back from the
17 prosecutor and Kellen did not need to appear at the May 28, 2024 pretrial hearing. This
18 information was false: Respondent had not spoken with the prosecutor about Kellen's attendance
19 at the pretrial hearing.

20 6. On May 28, 2024, Respondent sent an email to a deputy prosecuting attorney that
21 contained false information about having discussed the offer with Kellen and about experiencing
22

23 _____
¹ First names are used for clarity. No disrespect is intended.

1 a flat tire on the way to court.

2 7. On May 28, 2024, Respondent called the court and falsely informed the court clerk
3 that Respondent got a flat tire and would be unable to appear at Kellen's pretrial hearing.

4 8. On May 30, 2024, Jennifer terminated Respondent's services and requested a full
5 refund.

6 9. Respondent did not earn the entire \$2,500 fee and did not provide any refund.

7 Chapman Grievance

8 10. On July 8, 2022, Respondent was hired to represent Joel Chapman on a Malicious
9 Mischief in the First Degree charge related to an incident where Chapman drove Chapman's
10 vehicle through a business owned by Patrick Price.

11 11. On June 15, 2023, Chapman pleaded guilty to Malicious Mischief in the Third Degree
12 and Reckless Driving and was sentenced to 364 days in jail with all but two days suspended for a
13 period of two years if Chapman abided by certain conditions, including paying restitution in an
14 amount to be determined later. No later than June 15, 2023, Respondent knew that restitution
15 was a significant issue because Price was seeking over \$1,000,000 in restitution.

16 12. Respondent waived Chapman's presence at the future restitution hearing date.

17 13. On November 16, 2023, Respondent received from the prosecutor's office a proposed
18 order setting restitution in the amount of \$1,207,194.26 along with supporting documentation.

19 14. A restitution hearing was subsequently set for December 11, 2023.

20 15. Over the next eight months, the restitution hearing was continued multiple times. Prior
21 to each continuance, Respondent agreed to extend the deadline for the State to finalize restitution
22 without consulting with Chapman prior to agreeing to the extensions.

23 16. Respondent was aware that Chapman's lawyers from Lee Smart were attempting to

1 communicate with Respondent, but Respondent did not communicate with anyone from Lee
2 Smart.

3 17. The restitution hearing was eventually set for July 30, 2024. Respondent did not tell
4 Chapman about the July 30, 2024 restitution hearing date.

5 18. Between July 12, 2018, and July 18, 2024, Respondent received numerous text
6 messages from Chapman asking Respondent to provide Chapman with information about the
7 restitution hearing and requesting Respondent call Chapman as soon as possible. Respondent did
8 not respond to the text messages or contact Chapman in any way.

9 19. Respondent did not file an objection or a response to the State's proposed restitution
10 order and did not appear at the July 30, 2024 restitution hearing.

11 20. Respondent abandoned Chapman's representation, forcing Chapman to hire a
12 different criminal defense attorney.

13 Hunt Grievance

14 21. On March 20, 2024, Respondent was hired by Alisha Hunt to represent Hunt on a
15 misdemeanor theft charge for an alleged shoplifting incident at a Walmart store.

16 22. Respondent entered into a written fee agreement with Hunt to represent Hunt on the
17 theft charge for a flat fee of \$4,500. Respondent received \$1,100 towards the \$4,500 flat fee.

18 23. On March 21, 2024, Respondent filed a notice of appearance.

19 24. Respondent assisted Hunt in exploring the opportunity to participate in community
20 court following an offer from the Assistant City Attorney.

21 25. On June 26, 2024, the court continued the case to July 1, 2024, to allow Hunt the
22 opportunity to pursue the community court option.

23 26. Respondent was asked by the court to provide the related police reports to the medical

1 providers so that Hunt could be screened for eligibility for community court. Respondent did not
2 submit the police reports required for Hunt's community court screening process.

3 27. Hunt appeared at the July 1, 2024 court date, but Respondent did not.

4 28. The court continued Hunt's case to July 8, 2024, because Respondent was not present
5 and had not yet submitted the police reports.

6 29. Respondent received text messages from Hunt on July 1, July 2, July 4, and July 5,
7 2024, asking Respondent to let Hunt know if Hunt needed to appear at the July 8, 2024 hearing.
8 Respondent did not respond to Hunt's text messages.

9 30. On July 6, 2024, Respondent received an email from Hunt that requested Respondent
10 respond. Respondent did not respond to Hunt's email.

11 31. The morning of the July 8, 2024 hearing, Respondent contacted Hunt and informed
12 Hunt that Hunt did not need to appear at the July 8, 2024 hearing.

13 32. Neither Hunt nor Respondent appeared at the July 8, 2024 hearing, so the court issued
14 a bench warrant for Hunt's arrest.

15 33. On July 15, 2024, Respondent received an email from Hunt asking Respondent to
16 communicate with and help Hunt.

17 34. Respondent did not respond to Hunt's email.

18 Miller-Espinoza Grievance

19 35. On May 18, 2024, Alliya Miller-Espinoza was arrested for Driving Under the
20 Influence of Intoxicating Liquor (DUI). Respondent agreed to represent Miller-Espinoza on the
21 criminal charge and the corresponding Department of Licensing (DOL) matter for a flat fee of
22 \$6,500.

23 36. Respondent received \$3,500 from Miller-Espinoza towards the flat fee.

1 37. After a continuance request by Respondent, the DOL hearing examiner set Miller-
2 Espinoza's administrative hearing for July 8, 2024, at 9:00 a.m.

3 38. Respondent did not appear for Miller-Espinoza's DOL hearing.

4 39. Shortly after 11:00 a.m. on July 8, 2024, Respondent received a text message from
5 Miller-Espinoza asking Respondent to call Miller-Espinoza and let Miller-Espinoza know how
6 things went.

7 40. Respondent did not respond to the text message or otherwise let Miller-Espinoza
8 know that Respondent failed to attend the DOL hearing.

9 41. Because Respondent failed to appear, the Hearing Examiner found that Miller-
10 Espinoza waived the right to a hearing.

11 42. On July 9, 2024, the Hearing Examiner ordered that the DOL's suspension of Miller-
12 Espinoza's driving privilege be sustained.

13 43. On July 10, 2024, the DOL sent a copy of the Order of Default to Respondent.

14 44. Respondent took no action to inform Miller-Espinoza about the Order of Default.

15 45. The King County District Court set Miller-Espinoza's arraignment on the DUI for
16 June 10, 2024.

17 46. Miller-Espinoza appeared and told the court Miller-Espinoza had hired a lawyer.

18 47. The court continued the arraignment to June 18, 2024, so that Respondent could
19 attend.

20 48. Respondent did not appear at the June 18, 2024 arraignment.

21 49. The court entered a not guilty plea on behalf of Miller-Espinoza and set a pretrial
22 hearing for July 25, 2024.

23 50. Respondent told Miller-Espinoza that Miller-Espinoza did not need to attend the

1 July 25, 2024 pretrial hearing.

2 51. Respondent did not appear at the July 25, 2024 pretrial hearing.

3 52. The court issued a warrant for Miller-Espinoza's arrest for failure to appear.

4 53. Late in the day on July 25, 2024, Respondent received a text message from Miller-
5 Espinoza that stated, "You did show up right?"

6 54. Respondent did not respond to Miller-Espinoza's text message.

7 55. Miller-Espinoza called the court and discovered that Respondent did not appear at
8 the hearing and that a warrant had been issued for Miller-Espinoza's arrest.

9 56. On July 26, 2024, Respondent received an email from Miller-Espinoza asking for
10 an update and asking why Respondent had not appeared and a bench warrant had been issued.

11 57. Respondent did not respond to Miller-Espinoza's email.

12 58. Without the assistance of Respondent, Miller-Espinoza requested a warrant quash
13 hearing, appeared at the warrant quash hearing alone, and the court quashed the warrant.

14 59. Respondent abandoned Miller-Espinoza's representation.

15 60. Respondent did not perform any service of value to Miller-Espinoza.

16 61. Respondent has not refunded any of the unearned \$3,500 fee.

17 Kupfer Grievance

18 62. On or around December 14, 2023, Respondent was hired to represent Ryan Kupfer
19 on potential criminal charges related to an arrest for DUI and Hit and Run and the corresponding
20 DOL matter for a \$5,000 flat fee. Respondent received the fee in full on December 15, 2023.

21 63. Respondent represented Kupfer before the DOL in an administrative hearing
22 regarding the suspension of Kupfer's driver's license, and the matter was dismissed.

23 64. On September 11, 2024, the Olympia City Attorney charged Kupfer with DUI and

1 the Olympia Municipal Court set Kupfer's arraignment for September 25, 2024.

2 65. Respondent did not appear at the arraignment.

3 66. The court reset the arraignment to September 30, 2024.

4 67. On September 30, 2024, Respondent appeared at the arraignment by Zoom. During
5 the arraignment the court set a pretrial hearing for November 4, 2024, and released Kupfer on
6 supervised release with conditions, including abstaining from alcohol consumption and
7 submitting to random urinalysis (UA) tests.

8 68. Respondent was aware that Kupfer had experienced a recent brain injury.

9 69. Respondent did not respond to one or more requests from Kupfer to answer Kupfer's
10 questions about Kupfer's arraignment and the conditions of release.

11 70. On October 28, 2024, Respondent learned that Kupfer had failed two UA tests and
12 the court's probation department was going to request that the court revoke Kupfer's pretrial
13 release or order the use of a remote alcohol monitoring system.

14 71. After Respondent learned that Kupfer had failed the two UA tests, Respondent
15 received one or more requests from Kupfer to discuss concerns relating to the probation report
16 and the upcoming hearing.

17 72. Respondent was aware that Kupfer was concerned that Kupfer might be taken into
18 custody at the November 4, 2024 pretrial hearing but did not have any substantive conversations
19 with Kupfer until the morning of the November 4, 2024 pretrial hearing.

20 73. Respondent appeared at the pretrial hearing by Zoom. During the hearing, the court
21 ordered Kupfer to wear a transdermal alcohol monitor affixed to Kupfer's ankle and set the next
22 court date for January 6, 2025.

23 74. Respondent told Kupfer that Respondent would review discovery and be in touch

1 with Kupfer prior to the January 6, 2025 hearing.

2 75. On November 26, 2024, Respondent received a text message from Kupfer.
3 Respondent did not respond to Kupfer's text message.

4 76. In mid-December 2024, Respondent was terminated by Kupfer.

5 77. By email dated February 26, 2025, Respondent received a request from Kupfer for
6 a refund. Respondent did not respond to the request.

7 78. Respondent did not earn \$4,000 of the fee that Kupfer paid.

8 79. Respondent has not refunded any of Kupfer's unearned fee.

9 Clements Grievance

10 80. In late February 2023, Respondent was hired by James Clements to assist in
11 coordinating with prosecutors regarding potential criminal charges against a former partner who
12 had withdrawn approximately \$80,000 from Clements's bank account and to pursue civil
13 remedies to recover the funds.

14 81. Respondent was paid \$10,000 to assist in both matters.

15 82. Between February and June of 2023, Respondent performed little work on the
16 matters.

17 83. By email dated June 19, 2023, Respondent was informed by a paralegal assigned to
18 research the matters that a criminal prosecution or civil suit may be problematic because it was
19 not clear from the available records whether Clements willingly gave the funds to the former
20 partner or whether the funds were withdrawn without permission.

21 84. Respondent did not share with Clements the results of this research or otherwise
22 discuss with Clements the likelihood of success in moving forward given this new information.

23 85. In or around June 2023, Respondent received messages from Clements indicating

1 that Clements no longer wished to pursue the matters.

2 86. On or about July 10, 2023, Respondent received an email from Clements cancelling
3 the discussed civil suit and requesting a refund. Respondent did not respond to the email.

4 87. Respondent did not refund any unearned fees.

5 88. In late winter 2024, Respondent was contacted by Clements.

6 89. Respondent's office set multiple Zoom meetings with Respondent, Clements, and
7 Jenny Garfias, Clements's daughter. Respondent either cancelled or failed to appear at each of
8 the scheduled meetings.

9 90. Respondent received emails from Clements dated June 4, 2024, and July 2, 2024
10 requesting a refund. Respondent did not respond and did not refund any unearned fees.

11 91. Respondent did not earn the \$10,000 paid by Clements.

12 Draguicevic Grievance

13 92. On or around June 12, 2023, Respondent was hired to represent Andrei Sergio
14 Draguicevic on criminal charges related to a June 11, 2023 arrest for DUI and the corresponding
15 DOL matter for a \$4,375 flat fee. Respondent was paid the fee in full that same day.

16 93. On September 27, 2023, the DOL reversed the administrative suspension of
17 Draguicevic's driver's license following an administrative hearing where Respondent represented
18 Draguicevic.

19 94. On September 29, 2023, Respondent was provided the prosecutor's plea offer:
20 Draguicevic could plead guilty to DUI and the City of Seattle would recommend the mandatory
21 minimum sentence.

22 95. The case was continued several times over the next five months. During this time,
23 Respondent unsuccessfully attempted to secure a reduction of the DUI charge.

1 96. Respondent falsely led Draguicevic to believe that the city had agreed to reduce the
2 DUI charge and that the prosecutor had agreed to no jail time.

3 97. On July 24, 2024, Respondent received an offer from the prosecutor that
4 Draguicevic plead guilty to DUI as charged. Respondent did not timely communicate the offer
5 to Draguicevic.

6 98. Respondent was aware that Draguicevic had a pre-trial hearing on July 31, 2024, but
7 Respondent did not appear at the July 31, 2024 hearing.

8 99. The court reset the hearing to September 30, 2024.

9 100. Following the July 31, 2024 hearing, Respondent received four texts from
10 Draguicevic seeking information. Respondent did not respond to Draguicevic's messages until
11 September 27, 2024.

12 101. On September 30, 2024, Respondent failed to appear for a second time.

13 102. The court set the hearing over to October 23, 2024.

14 103. Between October 16, 2024, through October 23, 2024, Respondent received four
15 texts from Draguicevic seeking updates. Respondent did not respond to Draguicevic's messages
16 until the day of the October 23, 2024 hearing.

17 104. Both Respondent and Draguicevic appeared on October 23, 2024.

18 105. The court set the case for a motion hearing on December 2, 2024, trial readiness on
19 January 3, 2025, and trial for January 7, 2025.

20 106. Between October 23, 2024, and the December 2, 2024 motion hearing, Respondent
21 received six text messages from Draguicevic seeking information. Respondent did not respond
22 to Draguicevic's messages until shortly before the December 2, 2024 motion hearing when
23 Respondent texted Draguicevic not to attend court because the motion was going to be heard on

1 another date.

2 107. Throughout the month of December 2024 and through early January 2025,
3 Respondent received more than four texts from Draguicevic requesting updates on the status of
4 settlement negotiations and to discuss the upcoming readiness hearing. Respondent did not
5 respond to any of Draguicevic's messages.

6 108. Respondent did not appear at the January 3, 2025 readiness hearing

7 109. Following the readiness hearing, Respondent received three texts and at least one
8 phone call from Draguicevic regarding the upcoming trial date. Respondent did not respond to
9 any of Draguicevic's communications.

10 110. Respondent did not attend the January 7, 2025 trial date, forcing Draguicevic to
11 appear alone.

12 111. Respondent abandoned Draguicevic's representation.

13 112. Draguicevic hired lawyer Jon Fox.

14 113. Respondent received an email dated January 24, 2025, from Fox notifying
15 Respondent that Draguicevic hired Fox for the pending criminal matter and requesting that
16 Respondent sign and return a substitution of counsel.

17 114. By email dated January 29, 2025, Respondent received a request for a refund from
18 Draguicevic.

19 115. Respondent did not respond to Draguicevic's or Fox's emails.

20 116. Respondent did not earn \$3,375 of the fee that Draguicevic paid.

21 Frazee Grievance

22 117. On February 3, 2024, Kerri Frazee was arrested on suspicion of DUI.

23 118. Respondent was hired to represent Frazee on an anticipated DUI charge and the

1 corresponding DOL administrative proceeding for a \$6,000 flat fee. Respondent was paid the fee
2 in full on February 10, 2024.

3 119. Following a DOL hearing where Respondent appeared on Frazee's behalf, in July
4 2024, the DOL administratively suspended Frazee's driver's license.

5 120. Between July 24, 2024, and November 14, 2024, Respondent received three text
6 messages from Frazee asking if the DUI charge had been filed and asking for information
7 regarding how to timely pay Frazee's administrative fines in the DOL matter. Respondent did not
8 respond to any of Frazee's messages.

9 121. On December 9, 2024, the Pierce County Prosecutor's Office charged Frazee with
10 DUI. The court set an arraignment date for December 26, 2024.

11 122. On December 16, 2024, Respondent received a voicemail message from Frazee
12 expressing concerns about the arraignment date. Respondent did not return Frazee's message.

13 123. Also on December 16, 2024, Respondent received a text message from Frazee
14 stating, "I won't be here on December 26," asking for Respondent's help, and requesting a call.
15 Respondent did not respond to the text message.

16 124. On December 17, 2024, Respondent received a text from Frazee stating, "Please call
17 me. I'm very worried about missing a court date on December 26th at 8:45 am." Respondent did
18 not respond.

19 125. On December 18, 2024, Respondent received a text from Frazee again asking for
20 advice about the December 26th court date. Respondent did not respond.

21 126. On December 20, 2024, Respondent also received a Facebook message from Frazee
22 requesting a call back and expressing concerns regarding Frazee's out-of-town travel. Respondent
23 did not respond to Frazee's Facebook message.

1 127. Respondent did not file a notice of appearance.

2 128. Respondent abandoned Frazee's representation.

3 129. Respondent did not earn \$5,000 of the fee that Frazee paid.

4 130. On March 18, 2025, Respondent received a voicemail from Frazee requesting a
5 refund. Respondent did not respond.

6 131. Respondent did not refund any unearned fees.

7 Failure to Cooperate with Grievance Investigations and False Statement to ODC

8 132. On June 3, 2024, Jennifer Carrougher filed a grievance against Respondent.
9 Respondent did not promptly provide a written response to the grievance, forcing ODC to issue a
10 subpoena commanding Respondent's appearance at a deposition on September 17, 2024.

11 133. Respondent appeared at the September 17, 2024 deposition and testified falsely
12 about getting a flat tire on the way to Kellen's May 28, 2024 pretrial hearing.

13 134. On December 12, 2024, Kupfer filed a grievance against Respondent. Respondent
14 did not promptly provide a written response to the grievance, forcing ODC to issue a subpoena
15 commanding Respondent's appearance at a deposition on May 7, 2025. The subpoena also
16 required that Respondent produce all documents in Respondent's possession relating to
17 Respondent's representation of Kupfer. Respondent failed to appear at the deposition or provide
18 the subpoenaed documents.

19 135. On December 31, 2024, Clements filed a grievance against Respondent.
20 Respondent did not promptly provide a written response to the grievance, forcing ODC to issue a
21 subpoena commanding Respondent's appearance at a deposition on May 7, 2025. The subpoena
22 also required that Respondent produce all documents in Respondent's possession relating to
23 Respondent's representation of Clements. Respondent failed to appear at the deposition or

1 provide the subpoenaed documents.

2 136. On May 13, 2025, ODC petitioned the Washington Supreme Court for
3 Respondent's interim suspension until Respondent cooperated with ODC's investigation in the
4 Kupfer and Clements grievances.

5 137. Respondent did not respond to the Court's order to show cause.

6 138. On June 25, 2025, the Court granted ODC's Petition for Interim Suspension under
7 ELC 7.2(a)(3) and suspended Respondent from the practice of law effective immediately.

8 139. On February 22, 2025, Draguicevic filed a grievance against Respondent.
9 Respondent did not promptly provide a written response to the grievance, forcing ODC to issue a
10 subpoena commanding Respondent's appearance at a deposition on July 28, 2025. The subpoena
11 also required that Respondent produce all documents in Respondent's possession relating to
12 Respondent's representation of Draguicevic. Respondent failed to appear at the deposition or
13 provide the subpoenaed documents.

14 140. On March 18, 2025, Frazee filed a grievance against Respondent. Respondent did
15 not promptly provide a written response to the grievance, forcing ODC to issue a subpoena
16 commanding Respondent's appearance at a deposition on July 28, 2025. The subpoena also
17 required that Respondent produce all documents in Respondent's possession relating to
18 Respondent's representation of Frazee. Respondent failed to appear at the deposition or provide
19 the subpoenaed documents

20 141. To date, Respondent has not provided a written response to the Kupfer, Clements,
21 Draguicevic, or Frazee grievances and has not produced any of the subpoenaed documents
22 relative to these grievances.

1 **III. STIPULATION TO MISCONDUCT**

2 142. By failing to attend Kellen’s pretrial hearing, Respondent violated RPC 1.3.

3 143. By accepting payment from Jennifer for the representation without obtaining
4 Kellen’s informed consent, Respondent violated RPC 1.8(f).

5 144. By making one or more false statements to Jennifer and the prosecuting attorney,
6 Respondent violated RPC 4.1(a), RPC 8.4(c), and RPC 8.4(d).

7 145. By telling the court that Respondent got a flat tire on the way to court on May 28,
8 2024, Respondent violated RPC 8.4(c), RPC 8.4(d), and RPC 3.3(a)(1).

9 146. By making one or more false statements to ODC during the Carrougher grievance
10 investigation, Respondent violated RPC 8.4(c) and RPC 8.4(d).

11 147. By failing to object to the state’s proposed restitution order, by failing to file any
12 pleading in response to the state’s proposed restitution order, and by failing to appear at
13 Chapman’s restitution hearing, Respondent violated RPC 1.3.

14 148. By failing to timely provide the medical providers with Hunt’s police reports and by
15 failing to attend one or more court hearings, Respondent violated RPC 1.3.

16 149. By failing to appear at one or more court hearings in Miller-Espinoza’s criminal
17 matter and by failing to appear at the DOL hearing, Respondent violated RPC 1.3.

18 150. By collecting \$3,500 from Miller-Espinoza then failing to perform any work on the
19 matter that was of any value to Miller-Espinoza, Respondent violated RPC 1.5(a).

20 151. By failing to appear at Kupfer’s arraignment, Respondent violated RPC 1.3.

21 152. By collecting a \$5,000 flat fee from Kupfer and then failing to complete the
22 representation on the criminal matter, Respondent violated RPC 1.5(a).

23 153. By collecting \$10,000 from Clements and then failing to perform any work on the

1 matters that was of value to Clements, Respondent violated RPC 1.5(a).

2 154. By failing to appear at one or more hearings in Draguicevic's criminal matter,
3 Respondent violated RPC 1.3.

4 155. By collecting a \$4,375 flat fee from Draguicevic and then failing to complete the
5 representation on the criminal matter, Respondent violated RPC 1.5(a).

6 156. By telling Draguicevic that the prosecutor had offered a plea to a reduced charge
7 when no such offer had been made and by making one or more false statements to Draguicevic
8 about the status of plea negotiations, Respondent violated RPC 8.4(c).

9 157. By failing to file a notice of appearance in the DUI matter and by failing to assist
10 Frazee in obtaining a continuance of Frazee's arraignment date in the DUI matter, Respondent
11 violated RPC 1.3.

12 158. By collecting a \$6,000 flat fee from Frazee and then failing to perform any work on
13 the criminal matter, Respondent violated RPC 1.5(a).

14 159. By failing to respond to the client's reasonable requests for information and by
15 failing to adequately explain the matter to the client to the extent reasonably necessary for the
16 client to make informed decisions regarding the representation in the Carrougher, Chapman,
17 Hunt, Miller-Espinoza, Kupfer, Clements, Draguicevic, and Freeze matters, Respondent violated
18 RPC 1.4(a) and RPC 1.4(b).

19 160. By failing to refund unearned fees in the Carrougher, Miller-Espinoza, Kupfer,
20 Clements, Draguicevic, and Frazee matters, Respondent violated RPC 1.16(d).

21 161. By failing to provide a prompt response to the Carrougher, Kupfer, Clements,
22 Draguicevic, and Frazee grievances, by failing to provide documents responsive to a subpoena,
23 and by failing to appear at the May 7, 2025 and July 28, 2025 depositions, Respondent violated

1 RPC 8.1(b), RPC 8.4(d), and RPC 8.4(l) (by violating ELC 1.5, ELC 5.3(f), ELC 5.3(g), and ELC
2 5.5(d)).

3 162. By committing the acts described in paragraphs 2-141 above, Respondent
4 demonstrated unfitness to practice law in violation of RPC 8.4(n).

5 IV. PRIOR DISCIPLINE

6 163. Respondent has no prior discipline.

7 V. APPLICATION OF ABA STANDARDS

8 164. The following American Bar Association Standards for Imposing Lawyer
9 Sanctions (1991 ed. & Feb. 1992 Supp.) apply to this case:

10 ***4.3 Failure to Avoid Conflicts of Interest***

11 4.31 Disbarment is generally appropriate when a lawyer, without the informed
12 consent of client(s):

- 13 (a) engages in representation of a client knowing that the lawyer's
14 interests are adverse to the client's with the intent to benefit the
15 lawyer or another, and causes serious or potentially serious injury to
16 the client; or
- 17 (b) simultaneously represents clients that the lawyer knows have adverse
18 interests with the intent to benefit the lawyer or another, and causes
19 serious or potentially serious injury to a client; or
- 20 (c) represents a client in a matter substantially related to a matter in
21 which the interests of a present or former client are materially
22 adverse, and knowingly uses information relating to the
23 representation of a client with the intent to benefit the lawyer or
24 another and causes serious or potentially serious injury to a client.

18 4.32 Suspension is generally appropriate when a lawyer knows of a conflict of
19 interest and does not fully disclose to a client the possible effect of that
20 conflict, and causes injury or potential injury to a client.

21 4.33 Reprimand is generally appropriate when a lawyer is negligent in
22 determining whether the representation of a client may be materially
23 affected by the lawyer's own interests, or whether the representation will
24 adversely affect another client, and causes injury or potential injury to a
client.

25 4.34 Admonition is generally appropriate when a lawyer engages in an isolated
instance of negligence in determining whether the representation of a client
may be materially affected by the lawyer's own interests, or whether the
representation will adversely affect another client, and causes little or no
actual or potential injury to a client.

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4.4 Lack of Diligence

4.41 Disbarment is generally appropriate when:

- (a) a lawyer abandons the practice and causes serious or potentially serious injury to a client; or
- (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client; or
- (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.

4.42 Suspension is generally appropriate when:

- (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client, or
- (b) a lawyer engages in a pattern of neglect and causes injury or potential injury to a client.

4.43 Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client.

4.44 Admonition is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes little or no actual or potential injury to a client.

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4.6 Lack of Candor

4.61 Disbarment is generally appropriate when a lawyer knowingly deceives a client with the intent to benefit the lawyer or another, and causes serious injury or potential serious injury to a client.

4.62 Suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to the client.

4.63 Reprimand is generally appropriate when a lawyer negligently fails to provide a client with accurate or complete information, and causes injury or potential injury to the client.

4.64 Admonition is generally appropriate when a lawyer engages in an isolated instance of negligence in failing to provide a client with accurate or complete information, and causes little or no actual or potential injury to the client.

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5.1 Failure to Maintain Personal Integrity

5.11 Disbarment is generally appropriate when:

- (a) a lawyer engages in serious criminal conduct, a necessary element of which includes intentional interference with the administration of justice, false swearing, misrepresentation, fraud, extortion, misappropriation, or theft; or the sale, distribution or importation of controlled substances; or the intentional killing of another; or an attempt or conspiracy or solicitation of another to commit any of these offenses; or
- (b) a lawyer engages in any other intentional conduct involving dishonesty, fraud, deceit, or misrepresentation that seriously adversely reflects on the lawyer's fitness to practice.

- 1 5.12 Suspension is generally appropriate when a lawyer knowingly engages in
2 criminal conduct which does not contain the elements listed in Standard
3 5.11 and that seriously adversely reflects on the lawyer's fitness to practice.
4 5.13 Reprimand is generally appropriate when a lawyer knowingly engages in
5 any other conduct that involves dishonesty, fraud, deceit, or
6 misrepresentation and that adversely reflects on the lawyer's fitness to
7 practice law.
8 5.14 Admonition is generally appropriate when a lawyer engages in any other
9 conduct that reflects adversely on the lawyer's fitness to practice law.

6 ***6.1 False Statements, Fraud, and Misrepresentation***

- 7 6.11 Disbarment is generally appropriate when a lawyer, with the intent to
8 deceive the court, makes a false statement, submits a false document, or
9 improperly withholds material information, and causes serious or
10 potentially serious injury to a party, or causes a significant or potentially
11 significant adverse effect on the legal proceeding.
12 6.12 Suspension is generally appropriate when a lawyer knows that false
13 statements or documents are being submitted to the court or that material
14 information is improperly being withheld, and takes no remedial action,
15 and causes injury or potential injury to a party to the legal proceeding, or
16 causes an adverse or potentially adverse effect on the legal proceeding.
17 6.13 Reprimand is generally appropriate when a lawyer is negligent either in
18 determining whether statements or documents are false or in taking
19 remedial action when material information is being withheld, and causes
20 injury or potential injury to a party to the legal proceeding, or causes an
21 adverse or potentially adverse effect on the legal proceeding.
22 6.14 Admonition is generally appropriate when a lawyer engages in an isolated
23 instance of neglect in determining whether submitted statements or
24 documents are false or in failing to disclose material information upon
learning of its falsity, and causes little or no actual or potential injury to a
party, or causes little or no adverse or potentially adverse effect on the legal
proceeding.

18 ***7.0 Violations of Duties Owed as a Professional***

- 19 7.1 Disbarment is generally appropriate when a lawyer knowingly engages in
20 conduct that is a violation of a duty owed as a professional with the intent
21 to obtain a benefit for the lawyer or another, and causes serious or
22 potentially serious injury to a client, the public, or the legal system.
23 7.2 Suspension is generally appropriate when a lawyer knowingly engages in
24 conduct that is a violation of a duty owed as a professional and causes
injury or potential injury to a client, the public, or the legal system.
7.3 Reprimand is generally appropriate when a lawyer negligently engages in
conduct that is a violation of a duty owed as a professional and causes
injury or potential injury to a client, the public, or the legal system.
7.4 Admonition is generally appropriate when a lawyer engages in an isolated
instance of negligence that is a violation of a duty owed as a professional,

1 and causes little or no actual or potential injury to a client, the public, or
2 the legal system.

3 165. Respondent's failure to communicate with Carrougher, Hunt, Chapman, Miller-
4 Espinoza, Kupfer, Clements, Dragucevic, and Frazee was knowing. Each of these clients suffered
5 actual injury in that they were left uninformed and/or deprived of information necessary to make
6 informed decisions on their cases. These clients also experienced stress and anxiety because of
7 Respondent's failure to respond to their reasonable requests for information. The presumptive
8 sanction for violations of RPC 1.4(a) and 1.4(b) is suspension under ABA *Standard* 4.42.

9 166. Respondent's failure to diligently represent Kellen, Chapman, Hunt, Miller-
10 Espinoza, Kupfer, Dragucevic, Frazee was knowing. Respondent's conduct caused actual harm
11 to Kellen, Kupfer, and Dragucevic who were forced to appear in criminal court alone, actual
12 harm to Frazee who was forced to file a motion to continue their arraignment date on their own,
13 potentially serious harm to Hunt and Miller-Espinoza, both of whom had warrants issued for their
14 arrests because Respondent did not appear at their court dates to explain that Respondent
15 instructed them not to appear, actual harm to Miller-Espinoza who lost the opportunity to
16 challenge their license suspension, and potentially serious harm to Chapman who was facing
17 significant financial liability. The presumptive sanction for Respondent's violations of RPC 1.3
18 is suspension under ABA *Standard* 4.42 relative to Kellen, Kupfer, Dragucevic, and Frazee, and
19 disbarment under ABA *Standard* 4.41(b) relative to Chapman, Hunt, and Miller-Espinoza.

20 167. Respondent knowingly engaged in a conflict of interest by accepting money for
21 Kellen's representation from Jennifer without obtaining Kellen's informed consent causing
22 potential harm to Kellen. The presumptive sanction for Respondent's violation of RPC 1.8(f) is
23 suspension under ABA *Standard* 4.32.

24 168. Respondent knowingly lied to Jennifer, the prosecutor, and the court to cover up

1 Respondent's lack of diligence. Respondent's conduct reflects adversely on Respondent's fitness
2 to practice. The presumptive sanction for dishonesty directed at Jennifer and the prosecutor in
3 violation of RPC 4.1(a), RPC 8.4(c), and RPC 8.4(d) is reprimand under ABA *Standard* 5.13.
4 The presumptive sanction for dishonesty directed at the court is suspension under ABA *Standard*
5 6.12.

6 169. Respondent knowingly lied to Draguicevic in violation of RPC 8.4(c). The actual
7 injury is that Draguicevic was led to believe that Draguicevic's matter would resolve to a lesser
8 charge than that to which the City of Seattle would agree. The presumptive sanction is suspension
9 under ABA *Standard* 4.62.

10 170. Respondent knowingly took fees from Miller-Espinoza, Kupfer, Draguicevic, and
11 Frazee to benefit Respondent and then abandoned them causing potentially serious injury to these
12 clients all charged with criminal law violations. The presumptive sanction for these violations of
13 RPC 1.5(a) is disbarment under ABA *Standard* 7.1.

14 171. Respondent knowingly failed to refund money to Kellen, Miller-Espinoza, Kupfer,
15 Clements, Draguicevic, and Frazee for legal fees Respondent never earned in violation of RPC
16 1.16(d). Respondent's conduct caused actual injury to these clients. The presumptive sanction is
17 suspension under ABA *Standard* 7.2.

18 172. Respondent knowingly lied to ODC about the reason Respondent missed Kellen's
19 court date to cover up Respondent's lack of diligence in violation of RPC 8.4(c) and RPC 8.4(d)
20 causing potentially serious injury to the lawyer discipline system. The presumptive sanction is
21 disbarment under both ABA *Standard* 7.1 and *In re Disciplinary Proceeding Against Whitt*, 149
22 Wn.2d. 707, 719-20, 72 P.3d 173 (2003).

23 173. Respondent knowingly failed to cooperate with multiple grievance investigations.

1 The lawyer discipline system, which depends on lawyers' cooperation to function properly, *see*
2 *In re Disciplinary Proceeding Against McMurray*, 99 Wn.2d 920, 930, 655 P.2d 1352 (1983),
3 was harmed because Respondent's failure to cooperate impeded ODC's ability to promptly
4 investigate these grievances. ODC was further injured because ODC was forced to expend its
5 limited resources to attempt to secure Respondent's response to five separate grievances.
6 Respondent's failure to cooperate also reflects poorly on the profession and diminishes public
7 confidence in the legal system. The presumptive sanction for violations of RPC 8.1(b), RPC
8 8.4(d), and RPC 8.4(l) (by violating ELC 1.5, ELC 5.3(f), ELC 5.3(g), and ELC 5.5(d)) is
9 suspension under ABA *Standard* 7.2.

10 174. Respondent demonstrated unfitness to practice law in violation of RPC 8.4(n).
11 Unfitness to practice law involves repetitious misconduct that is "deceitful, neglectful and
12 unprofessional." *In re Disciplinary Proceeding Against Zderic*, 92 Wn.2d 777, 600 P.2d 1297
13 (1979). The presumptive sanction is disbarment under ABA *Standards* 4.41(b) and 7.1.

14 175. The following aggravating factors apply under ABA *Standard* 9.22:

15 (c) a pattern of misconduct; and

16 (d) multiple offenses.

17 176. The following mitigating factors apply under ABA *Standard* 9.32:

18 (a) Absence of a prior disciplinary record;

19 (c) Personal or emotional problems (Throughout the period of misconduct Respondent
20 experienced extreme and ongoing domestic violence and also experienced the terminal
21 decline, hospice care, and death of Respondent's father.);

22 (g) Character or reputation (Prior to the misconduct, Respondent enjoyed the reputation
23 as a zealous advocate who cared about Respondent's clients); and

1 (l) Remorse.

2 177. There is a substantial connection between Respondent's personal or emotional
3 problems and all misconduct. The mitigating personal or emotional problem (Domestic Violence)
4 in this case merits substantial weight.

5 178. It is an additional mitigating factor that Respondent has agreed to resolve this
6 matter at an early stage of the proceedings.

7 179. Based on the factors set forth above, the presumptive sanction of disbarment
8 should be mitigated to a 30-month suspension.

9 **VI. STIPULATED DISCIPLINE**

10 180. The parties stipulate that Respondent shall receive a 30-month suspension.

11 181. Respondent requests that the effective date of the 30-month suspension be set back
12 to June 25, 2025, the date that Respondent was suspended under ELC 7.2. ODC does not oppose
13 this request.

14 **VII. CONDITIONS OF REINSTATEMENT**

15 182. Reinstatement from suspension is conditioned on payment of restitution, costs and
16 expenses, as provided below.

17 183. As an additional condition of reinstatement, Respondent shall, at least 30 days
18 before a request for reinstatement, undergo an independent examination by a licensed mental
19 health professional approved by ODC to evaluate Respondent's fitness to practice law.

20 184. Respondent shall pay all expenses associated with the examination.

21 185. Respondent shall execute all necessary releases and authorizations to permit the
22 evaluator and disciplinary counsel to obtain full access to all pertinent health care and treatment
23 records for the applicable time period, and to permit the evaluator to release information regarding

1 the evaluation to disciplinary counsel, including a written report of the evaluator's findings,
2 diagnosis, and recommended treatment plan, if any. Respondent shall provide disciplinary
3 counsel with a copy of the releases and authorizations.

4 186. If the evaluator concludes there is reasonable cause to believe that Respondent
5 does not have the mental or physical capacity to practice law, then disciplinary counsel may report
6 to a review committee as provided in ELC 8.2.

7 187. If the evaluator recommends treatment, then Respondent shall undergo treatment
8 with a treatment provider for the two-year period of probation beginning on the date Respondent
9 is reinstated to the practice of law. The conditions of probation are set forth below.

10 188. If the evaluator does not recommend treatment, then Respondent will not be
11 required to undergo treatment and will not be subject to probation requiring mental health
12 treatment.

13 **VIII. CONDITIONS OF PROBATION**

14 189. Respondent will be subject to probation for a period of two years beginning when
15 Respondent is reinstated to the practice of law and shall comply with the specific probation terms
16 set forth below:

17 190. The conditions of probation are set forth below. Respondent's compliance with these
18 conditions shall be monitored by the Probation Administrator of the Office of Disciplinary
19 Counsel ("Probation Administrator"). Failure to comply with a condition of probation listed
20 herein may be grounds for further disciplinary action under ELC 13.8(b).

21 **A. Mental Health Treatment**

- 22 a) These conditions of probation apply if the evaluator recommends treatment, as
23 provided above in *Section VII. Conditions on Reinstatement*. If the mental-health
24 evaluator recommends treatment, Respondent shall undergo treatment during the
probation period. Respondent shall undergo treatment with the evaluator or with

1 another treatment provider approved by the Probation Administrator. Respondent
2 will not be required to undergo mental-health treatment if not recommended by a
3 mental-health evaluator.

3 b) Respondent shall comply with all requirements and recommendations of the
4 treatment provider, including but not limited to the completion of any period of in- or
5 out-patient treatment and aftercare and the taking of all prescribed medications.

5 c) Respondent shall execute an authorization allowing and directing the treatment
6 provider to take the following actions:

6 i) on a quarterly basis, send written reports to the Probation Administrator that
7 include the dates of treatment, whether Respondent has been cooperative with
8 treatment, and whether continued treatment is recommended;

8 ii) report immediately to the Probation Administrator if Respondent fails to
9 appear for treatment or stops treatment without the provider's agreement and
10 consent prior to either termination of the treatment plan or expiration of the
11 probation period set forth in this Stipulation;

11 iii) report immediately to the Probation Administrator if Respondent fails to
12 comply with any treatment recommendations of the treatment provider;

12 iv) report immediately to the Probation Administrator if Respondent otherwise
13 violates any of the terms or conditions of treatment;

13 v) report immediately to the Probation Administrator if the provider will no
14 longer serve as treatment provider to Respondent prior to termination of the
15 treatment plan or expiration of the probation period set forth in this
16 stipulation; and

16 vi) report to the Probation Administrator if Respondent successfully completes
17 treatment and is discharged from further treatment.

17 Respondent shall provide a copy of the authorization to the Probation Administrator
18 upon execution.

18 d) Respondent is responsible for paying any and all fees, costs, and/or expenses of
19 mental health evaluation and treatment.

20 **B. Practice Monitor**

21 a) During the period of probation, Respondent's practice will be supervised by a practice
22 monitor. The practice monitor must be a WSBA member with no record of public
23 discipline and who is not the subject of a pending public disciplinary proceeding.

- 1 b) The role of the practice monitor is to consult with and provide guidance to Respondent
2 regarding case management, office management, and avoiding violations of the Rules
3 of Professional Conduct, and to provide reports and information to the Probation
4 Administrator regarding Respondent's compliance with the terms of probation and
5 the RPC. The practice monitor does not represent the Respondent.
- 6 c) At the beginning of the probation period, the Probation Administrator will select a
7 lawyer to serve as practice monitor for the period of Respondent's probation.
- 8 i) Initial Challenge: If, within 15 days of the written notice of the selection of
9 a practice monitor, Respondent sends a written request to the Probation
10 Administrator that another practice monitor be selected, the Probation
11 Administrator will select another practice monitor. Respondent need not
12 identify any basis for this initial request.
- 13 ii) Subsequent Challenges: If, after selection of a second (or subsequent)
14 practice monitor, Respondent believes there is good cause why that individual
15 should not serve as practice monitor, Respondent may, within 15 days of
16 notice of the selected practice monitor, send a written request to the Probation
17 Administrator asking that another practice monitor be selected. That request
18 must articulate good cause to support the request. If the Probation
19 Administrator agrees, another practice monitor will be selected. If the
20 Probation Administrator disagrees, the Office of Disciplinary Counsel will
21 submit its proposed selection for practice monitor to the Chair of the
22 Disciplinary Board for appointment pursuant to ELC 13.8(a)(2), and will also
23 provide the Chair with the Respondent's written request that another practice
24 monitor be selected.
- d) In the event the practice monitor is no longer able to perform the practice monitor's
duties, the Probation Administrator will select a new practice monitor at the Probation
Administrator's discretion.
- e) During the period of probation, Respondent must cooperate with the named practice
monitor. Respondent must meet with the practice monitor at least once per month.
Respondent must communicate with the practice monitor to schedule all required
meetings.
- f) The Respondent must bring to each meeting a current, complete written list of all
pending client legal matters being handled by the Respondent. The list must identify
the current status of each client matter and any problematic issues regarding each
client matter. The list may identify clients by using the client's initials rather than the
client's name.
- g) At each meeting, the practice monitor will discuss with Respondent practice issues
that have arisen or are anticipated. In light of the conduct giving rise to the imposition
of probation, ODC recommends that the practice monitor and Respondent discuss
whether Respondent is diligently making progress on each client matter, whether

1 Respondent is in communication with each client, and whether Respondent needs to
2 consider withdrawing from any client matters. Meetings may be in person or by
3 telephone at the practice monitor's discretion. The practice monitor uses discretion
4 in determining the length of each meeting.

- 5 h) The practice monitor will provide the Probation Administrator with quarterly written
6 reports regarding Respondent's compliance with probation terms and the RPC. Each
7 report must include the date of each meeting with Respondent, a brief synopsis of the
8 discussion topics, and a brief description of any concerns the practice monitor has
9 regarding the Respondent's compliance with the RPC. The report must be signed by
10 the practice monitor. Each report is due within 30 days of the completion of the
11 quarter.
- 12 i) If the practice monitor believes that Respondent is not complying with any of
13 Respondent's ethical duties under the RPC or if Respondent fails to schedule or attend
14 a monthly meeting, the practice monitor will promptly communicate that to the
15 Probation Administrator.
- 16 j) Respondent must make payments totaling \$1,000 to the Washington State Bar
17 Association to defray the costs and expenses of administering the probation, as
18 follows:
- 19 i) \$250 due within 30 days of the start of the probation;
 - 20 ii) \$250 due within 6 months of the start of the probation period;
 - 21 iii) \$250 due within 12 months of the start of the probation period; and
 - 22 iv) \$250 due within 18 months of the start of the probation period.

23 All payments should be provided to the Probation Administrator for processing.

24 **C. Ethics School**

- 25 a) Respondent shall attend Ethics School by webinar (approximately 7.5 hours), or by
26 obtaining the recorded product, and to pay registration costs of \$150 plus applicable
27 sales tax. Respondent will receive all applicable approved CLE credits for time in
28 attendance at the Ethics School.
- 29 b) Attendance at Ethics School is in addition to and shall not fulfill any continuing legal
30 education (CLE) requirements set out in this stipulation.
- 31 c) Respondent shall contact the Ethics School Administrator, currently Claire Carden,
32 at (206) 727-8220 or clairec@wsba.org, within 30 days of the commencement of
33 probation to confirm enrollment in Ethics School and related logistics.

- 1 d) Respondent shall complete the ethics school requirement within 90 days of the
2 commencement of probation.
- 3 e) Respondent shall provide evidence of completion of ethics school to the Probation
4 Administrator no later than 30 days after the conclusion of the course. Proof of
5 attendance shall include the program brochure, evidence of payment, and a written
6 statement that includes the date and time of attendance.
- 7 f) The Ethics School administrator may respond to inquiries from the Probation
8 Administrator regarding Respondent's compliance with these conditions.

IX. RESTITUTION

9 191. Respondent shall pay restitution to the following clients in the following amounts:

- 10 • To Kellen Carrougher, \$1,250;
- 11 • To Alliya Miller Espinoza, \$3,500;
- 12 • To Ryan Kupfer, \$4,000;
- 13 • To James Allen Clements: \$10,000;
- 14 • To Andrei Sergio Draugicevic, \$3,375; and
- 15 • To Kerri Frazee, \$5,000.

16 192. Respondent shall pay to each client interest on the funds owed in restitution, at a
17 rate of 12% per annum, calculated from the date on which this Stipulation is effective.

18 193. If any client to whom restitution is owed under this Stipulation is the recipient of
19 a gift from the Client Protection Fund, in lieu of paying restitution directly to that client,
20 Respondent shall reimburse the Client Protection Fund for the restitution amount paid to that
21 client, including interest at a rate of 12% per annum, calculated from the date on which this
22 Stipulation is effective. To the extent any gift from the Client Protection Fund is less than the
23 restitution amount agreed to in this Stipulation, Respondent shall pay the remaining restitution
24 amount to that client.

194. Reinstatement from suspension is conditioned on payment of restitution to each

1 client, and to the Client Protection Fund if applicable, of all funds owed.

2 **X. COSTS AND EXPENSES**

3 195. Respondent shall pay actual costs of \$5,966.20 in accordance with ELC 13.9(b).
4 In light of Respondent's willingness to resolve this matter by stipulation at an early stage of the
5 proceedings, Respondent shall pay attorney fees and administrative costs of \$1,000 in accordance
6 with ELC 13.9(i). The Association will seek a money judgment under ELC 13.9(l) if these costs
7 are not paid within 30 days of approval of this stipulation. Reinstatement from suspension is
8 conditioned on payment of costs.

9 **XI. VOLUNTARY AGREEMENT**

10 196. Respondent states that prior to entering into this Stipulation Respondent had an
11 opportunity to consult independent legal counsel regarding this Stipulation, that Respondent is
12 entering into this Stipulation voluntarily, and that no promises or threats have been made by ODC,
13 the Association, nor by any representative thereof, to induce the Respondent to enter into this
14 Stipulation except as provided herein.

15 197. Once fully executed, this stipulation is a contract governed by the legal principles
16 applicable to contracts, and may not be unilaterally revoked or modified by either party.

17 **XII. LIMITATIONS**

18 198. This Stipulation is a compromise agreement intended to resolve this matter in
19 accordance with the purposes of lawyer discipline while avoiding further proceedings and the
20 expenditure of additional resources by the Respondent and ODC. Both the Respondent lawyer
21 and ODC acknowledge that the result after further proceedings in this matter might differ from
22 the result agreed to herein.

23 199. This Stipulation is not binding upon ODC or the respondent as a statement of all

1 existing facts relating to the professional conduct of the Respondent, and any additional existing
2 facts may be proven in any subsequent disciplinary proceedings.

3 200. This Stipulation results from the consideration of various factors by both parties,
4 including the benefits to both by promptly resolving this matter without the time and expense of
5 hearings, Disciplinary Board appeals, and Supreme Court appeals or petitions for review. As
6 such, approval of this Stipulation will not constitute precedent in determining the appropriate
7 sanction to be imposed in other cases; but, if approved, this Stipulation will be admissible in
8 subsequent proceedings against Respondent to the same extent as any other approved Stipulation.

9 201. Under ELC 9.1(d)(4), the Disciplinary Board reviews a stipulation based solely on
10 the record agreed to by the parties. Under ELC 3.1(b), all documents that form the record before
11 the Board for its review become public information on approval of the Stipulation by the Board,
12 unless disclosure is restricted by order or rule of law.

13 202. If this Stipulation is approved by the Disciplinary Board and Supreme Court, it
14 will be followed by the disciplinary action agreed to in this Stipulation. All notices required in
15 the Rules for Enforcement of Lawyer Conduct will be made. Respondent represents that, in
16 addition to Washington, Respondent also is admitted to practice law in the following jurisdictions,
17 whether current status is active, inactive, or suspended: None.

18 203. If this Stipulation is not approved by the Disciplinary Board and Supreme Court,
19 this Stipulation will have no force or effect, and neither it nor the fact of its execution will be
20 admissible as evidence in the pending disciplinary proceeding, in any subsequent disciplinary
21 proceeding, or in any civil or criminal action.

1 WHEREFORE the undersigned being fully advised, adopt and agree to this Stipulation to
2 Suspension as set forth above.

3 Nichole Fisher

4 Nichole Danelle Fisher, Bar No. 54253
5 Respondent

Dated: 1/5/2026

6 Thea Jennings

7 Thea Jennings, Bar No. 58255
8 Disciplinary Counsel

Dated: 1/5/2026

9 KJBlake

10 Kathy Jo Blake, Bar No. 29235
11 Managing Disciplinary Counsel

Dated: 1/5/2026