

FILED

Jul 30, 2025

Disciplinary
Board

Docket # 016

DISCIPLINARY BOARD
WASHINGTON STATE BAR ASSOCIATION

In re
BENJAMIN R. TRAMPOSH,
Lawyer (Bar No. 61770).

Proceeding No. 25#00037
ODC File No. 24-00227
STIPULATION TO REPRIMAND

Under Rule 9.1 of the Washington Supreme Court's Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to Reprimand is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsel Erica Temple and Respondent lawyer Benjamin Richard Tramposh.

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 outcome more favorable or less favorable to Respondent. Respondent chooses to resolve this proceeding now by entering into the following stipulation to facts, misconduct and sanction to

1 avoid the risk, time, and expense attendant to further proceedings.

2 **I. ADMISSION TO PRACTICE**

3 1. Respondent was admitted to practice law in the State of Washington on December
4 22, 2023.

5 **II. STIPULATED FACTS**

6 Admissions to Practice

7 2. On November 2, 2009, Respondent was admitted to practice law in Oregon.

8 3. On September 20, 2023, Respondent submitted an application to the Washington
9 State Bar Association (WSBA) for admission by motion.

10 4. The WSBA sent Respondent a message dated November 29, 2023, that the
11 application had been approved.

12 5. The message also stated:

13 [T]he WSBA will prepare the recommendation for admission to the practice of
14 law to the Washington Supreme Court. Once we receive the Court order admitting
15 you to the practice of law, you'll receive an email notification with your admission
date and bar number. It takes approximately two to three weeks to become
licensed.

16 6. On December 22, 2023, the Supreme Court entered an order admitting Respondent
17 to practice in Washington. On that same date, the WSBA sent Respondent an email confirming
18 admission.

19 Litigation in King County Superior Court

20 7. As of July 2023, Chris Rugh was a party in an ongoing family law matter in King
21 County Superior Court No. 16-3-01656-5 (the King County case). Rugh's previous lawyer
22 moved to withdraw on July 25, 2023.

23 8. The court entered an order on August 22, 2023, permitting the withdrawal over the

opposing party's objection.

9. Around August 2023, Rugh hired Respondent to represent Rugh in the King County case.

10. On September 1, 2023, the opposing party filed a motion for reconsideration related to the withdrawal.

11. On October 11, 2023, Respondent sent a Motion for Entry of Limited Appearance Pro Hac Vice via email to Judge Sean O'Donnell's bailiff. Respondent explained that Respondent was awaiting final approval of Respondent's WSBA admission, and asked for leave of the court to respond to the reconsideration motion. Judge O'Donnell did not act on Respondent's motion.

12. On October 16, 2023, Respondent sent an email to Judge O'Donnell and opposing counsel, noting that Respondent had filed some unsigned pleadings and was awaiting instruction from the court about proceeding pro hac vice.

13. Via email on October 17, 2023, Judge O'Donnell's bailiff requested that Respondent respond to the opposing party's motion.

14. Based upon this request, on October 24, 2023, Respondent filed a response to the opposing party's motion. Respondent signed the response, "Benjamin Tramposh Attorney for Respondent."

15. On October 25, 2023, Respondent filed the Motion for Entry of Limited Appearance Pro Hac Vice in the King County case.

16. On October 25, 2023, the opposing party filed an objection to the response, again noting that Respondent was not licensed to practice law in Washington.

17. On November 7, 2023, Judge O'Donnell entered an order which stated in part:

1 The Response is stricken. Mr. Tramposh has not complied with APR 8 and his
2 practice of law in Washington is currently unauthorized. His request to appear pro
3 hac vice is not accompanied by association of local counsel. See APR 8(b)(11). He
4 also did not seek the Court's approval for practice prior to appearing and defending
the motion. See APR 8(b)(i). RPC 5.5(d) is not applicable here as the services that
Mr. Tramposh are rendering do require licensure. The fact that his licensure
requirement is pending does not translate into an ability to practice in Washington.

5 18. Respondent asked Washington lawyer Greg Albert to associate as local counsel.

6 19. On November 17, 2023, Respondent and Albert filed a notice of association of
7 counsel and additional motions related to reconsideration and contempt, signed by both.

8 20. Also on November 17, 2023, Respondent filed a Renewed Motion for Appearance
9 Pro Hac Vice in the King County case.

10 21. On November 20, 2023, Respondent filed a motion for change of venue, signed by
11 Respondent. The motion was not signed by Albert.

12 22. On November 21, 2023, Respondent filed an amended motion for contempt hearing,
13 signed by Respondent. The motion was not signed by Albert.

14 23. On December 29, 2023, the court entered an Order on Motion for Reconsideration,
15 finding that Respondent never attained pro hac vice status and had not been licensed to practice
16 law in Washington at the time that Respondent filed a response to the motion for reconsideration.

17 24. The court sanctioned Respondent \$2,000.

18 25. On January 12, 2024, Respondent paid this sanction.

19 26. Respondent acted negligently in failing to follow the requirements under APR 8 for
20 admission pro hac vice.

21 Litigation in Snohomish County Superior Court

22 27. In November 2023, Summit Everett (Summit), was reaching the end of its lease with
23 landlord Diceman Capital (Diceman). Rugh was a managing partner of Diceman.

1 28. On November 14, 2023, Respondent sent an email to Summit in which Respondent
2 identified as “General Counsel,” and stated that Respondent might file a civil lawsuit relating to
3 the lease.

4 29. At the time that Respondent sent the email to Summit, Respondent was not admitted
5 to practice in Washington.

6 30. On November 16, 2023, Respondent sent Summit an email with a draft civil
7 complaint, which was captioned in Snohomish County Superior Court and signed by
8 Respondent.

9 31. On December 8, 2023, Respondent filed the complaint and related pleadings in
10 Snohomish County Superior Court No. 23-2-09020-31 (the Snohomish County case).

11 32. Respondent signed each pleading as “Ben Tramposh, General Counsel for Plaintiff.”

12 33. At the time that Respondent filed the complaint and related pleadings, Respondent
13 was not admitted to practice in Washington.

14 34. Respondent affixed an Oregon bar number to the case cover sheet.

15 35. On that same date, Respondent appeared before a commissioner in Snohomish
16 County Superior Court seeking a Temporary Restraining Order (TRO).

17 36. At the hearing, Respondent said that Respondent had been admitted to practice law
18 in Washington, and that Respondent was awaiting a bar number and just needed to take an oath.

19 37. Respondent asked the commissioner to administer the oath.

20 38. Respondent’s statement to the court that Respondent had been admitted to the
21 practice of law in Washington was not true; Respondent’s application had been approved
22 November 29, 2023, but the Supreme Court had not yet admitted Respondent to the WSBA.
23 Respondent’s failure to recognize this distinction was negligent and demonstrated a lack of

1 competence.

2 39. Respondent was mistaken about the status of Respondent's license to practice law in
3 Washington.

4 40. The commissioner declined to administer the oath and told Respondent that the filings
5 needed to be signed by a lawyer licensed in Washington.

6 41. Respondent returned later that day with Albert, who appeared via Zoom.

7 42. The Commissioner required Respondent to affix Albert's signature and bar number
8 to the complaint, summons, motion for TRO, and the proposed order before the Commissioner
9 would consider the motion.

10 43. In an email Respondent wrote to Summit's lawyer on December 11, 2023,
11 Respondent wrote in part, "[p]er the letter I provided you accompanying my Pro Hac Vice
12 Motion, I have been admitted to the Washington Bar as of 29 November 2023." This was not
13 true; Respondent's application had been approved November 29, 2023, but the Supreme Court
14 had not yet admitted Respondent to the WSBA. Respondent's failure to recognize this
15 distinction was negligent and demonstrated a lack of competence.

16 44. Respondent never filed a pro hac vice motion in the Snohomish County case.

17 45. On December 15, 2023, the parties appeared in Snohomish County Superior Court
18 before Judge Anita Farris.

19 46. Judge Farris noted that there was no pro hac vice motion or order granting it in the
20 court file. Judge Farris would not allow Respondent to argue before the court, and told
21 Respondent that Respondent was engaging in the unauthorized practice of law.

22 47. In an order entered December 15, 2023, Judge Farris vacated the TRO and wrote that,
23 "the complaint was filed by a person practicing law without a bar license and without a proper

1 pro hac vice motion or order.”

2 48. Respondent acted negligently in failing to comply with the requirements for
3 providing legal services in Washington under RPC 5.5(c).

4 49. Respondent acted negligently in failing to follow the requirements under APR 8 for
5 admission pro hac vice.

6 **III. STIPULATION TO MISCONDUCT**

7 50. By providing legal services in Washington on behalf of a client in litigation, without
8 satisfying the requirements of RPC 5.5(c)(1), (2), (3), or (4), Respondent violated RPC 5.5(c),
9 RPC 1.1, and RPC 8.4(d).

10 **IV. PRIOR DISCIPLINE**

11 51. Respondent has no prior discipline.

12 **V. APPLICATION OF ABA STANDARDS**

13 52. The following American Bar Association Standards for Imposing Lawyer Sanctions
14 (1991 ed. & Feb. 1992 Supp.) apply to this case:

15 53. ABA Standard 7.0 is most applicable to the unauthorized practice of law:

16 7.3 Reprimand is generally appropriate when a lawyer negligently engages in
17 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.

18 54. ABA Standard 6.0 is most applicable to conduct prejudicial to the administration of
19 justice:

20 6.13 Reprimand is generally appropriate when a lawyer is negligent either in
21 determining whether statements or documents are false or in taking remedial
22 action when material information is being withheld, and causes injury or potential
injury to a party to the legal proceeding, or causes an adverse or potentially
adverse effect on the legal proceeding.

23 55. ABA Standard 4.5 is most applicable to failure to provide competent representation

1 to a client:

2 4.53 Reprimand is generally appropriate when a lawyer:

- 3 (a) demonstrates failure to understand relevant legal doctrines or procedures
and causes injury or potential injury to a client; or
4 (b) is negligent in determining whether he or she is competent to handle a legal
matter and causes injury or potential injury to a client.

5 56. Respondent acted negligently in failing to comply with the requirements under APR
6
7 8 for admission pro hac vice.

8 57. Respondent acted negligently in failing to comply with the requirements for
9 providing legal services in Washington under RPC 5.5(c).

10 58. Respondent caused injury to Rugh, who was not represented by a licensed lawyer in
11 multiple court proceedings, and injury to the court and opposing counsel, who had to address
12 and respond to Respondent's conduct.

13 59. The presumptive sanction is Reprimand.

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

- 15 (d) multiple offenses; and,
16 (i) substantial experience in the practice of law [licensed in Oregon in 2009].

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

- 18 (a) absence of a prior disciplinary record;
19 (g) character or reputation;
20 (k) imposition of other penalties or sanctions; and,
21 (l) remorse.

22 62. It is an additional mitigating factor that Respondent has agreed to resolve this matter
23 at an early stage of the proceedings.

24 63. On balance the aggravating and mitigating factors do not require a departure from the
presumptive sanction.

1 **VI. STIPULATED DISCIPLINE**

2 64. The parties stipulate that Respondent shall receive a reprimand.

3 **VII. RESTITUTION**

4 65. An order of restitution is not appropriate.

5 **VIII. COSTS AND EXPENSES**

6 66. In light of Respondent's willingness to resolve this matter by stipulation at an early
7 stage of the proceedings, Respondent shall pay attorney fees and administrative costs of \$1,500
8 in accordance with ELC 13.9(i). The Association will seek a money judgment under ELC 13.9(l)
9 if these costs are not paid within 30 days of approval of this stipulation.

10 **IX. VOLUNTARY AGREEMENT**

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

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

18 **X. LIMITATIONS**

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

1 70. This Stipulation is not binding upon ODC or the Respondent as a statement of all
2 existing facts relating to the professional conduct of the Respondent, and any additional existing
3 facts may be proven in any subsequent disciplinary proceedings.

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

11 72. Under ELC 3.1(b), all documents that form the record before the Hearing Officer for
12 Hearing Officer's review become public information on approval of the Stipulation by the
13 Hearing Officer, unless disclosure is restricted by order or rule of law.

14 73. If this Stipulation is approved by the Hearing Officer, it will be followed by the
15 disciplinary action agreed to in this Stipulation. All notices required in the Rules for Enforcement
16 of Lawyer Conduct will be made. Respondent represents that, in addition to Washington,
17 Respondent also is admitted to practice law in the following jurisdictions, whether current status
18 is active, inactive, or suspended: Oregon.

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

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

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Dated: 30 July 2025

4 Benjamin Richard Tramposh, Bar No. 61770
5 Respondent

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Dated: July 30, 2025

7 Erica Temple, Bar No. 28458
8 Managing Disciplinary Counsel
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