



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

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Judicial Branch Website: www.jud.ct.gov

Attorney Mark Dubois
Chief Disciplinary Counsel
100 Washington Street
Hartford, CT 06106

Attorney David J. Ordway
441 Summer Street
Stamford, CT 06901-1304

RE: Grievance Complaint #06-0300, Stamford/Norwalk Grievance Panel v. Ordway

Dear Chief Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Conditional Admission and Agreement as to Discipline* (hereinafter “*Conditional Admission*”) filed August 29, 2006 and submitted for approval in the above referenced matter. After careful consideration of the *Conditional Admission*, the *Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(c) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on September 5, 2006, the undersigned hereby APPROVE the *Conditional Admission*, a copy of which is attached hereto together with the *Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Chief Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Conditional Admission* is hereby made an order of this reviewing committee. The Respondent is reprimanded.

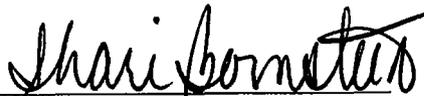
So ordered.

cc: Attorney John H. Welch, Jr.
Attorney Christopher W. Caldwell
Attorney Philip Russell

(5)
asc

DECISION DATE: 9/29/06

Grievance Complaint #06-0300
Decision
Page 2


Attorney Shari Bornstein

Grievance Complaint #06-0300
Decision
Page 3



Attorney Geoffrey Naab

Grievance Complaint #06-0300
Decision
Page 4


Dr. Romeo Vidone

STATEWIDE GRIEVANCE COMMITTEE

NO. 06-0300

STAMFORD/NORWALK GRIEVANCE PANEL
Complainant

Vs.

AUG 29 2006

DAVID J. ORDWAY
Respondent

CONDITIONAL ADMISSION AND AGREEMENT AS TO DISCIPLINE

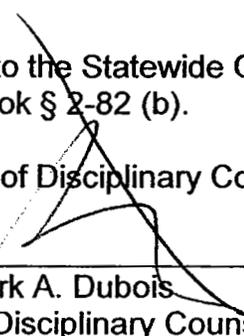
Pursuant to Practice Book § 2-82, the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. This matter was instituted by grievance complaint filed by the Complainant Stamford/Norwalk Grievance Panel on March 22, 2006.
2. On July 17, 2006 the Grievance Panel for GA 7 and the Towns of Branford, East Haven, Guilford, Madison and North Branford found probable cause that the Respondent had violated Rules 5.4, 5.5 and 8.4(4) with regard to his involvement with one Jose Ortiz, a person not licensed to practice law in Connecticut.
3. The Respondent has tendered a conditional admission of fact in accordance with his affidavit attached hereto, admitting certain of the facts related to the complaint and agreeing to be reprimanded for his conduct.
4. Respondent has been admitted to practice since 1981. He has no history of discipline.
5. Respondent has offered to assist the State's Attorney in their criminal prosecution of Mr. Ortiz for violating the unauthorized practice of law statute.
6. Disciplinary Counsel has agreed to recommend to the Statewide Grievance Committee that the matter be resolved with the entry of a reprimand for improper fee sharing in violation of Rule 5.4 of the Rules of Professional Conduct.
7. A copy of the Conditional Admission and Affidavit has been sent to the Complainant. Complainant will be given an opportunity to advise the Committee of his position on the disposition of this matter.

WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82 (b).

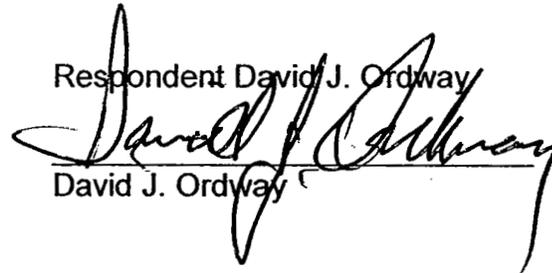
8/29/06
Date

Office of Disciplinary Counsel


By Mark A. Dubois
Chief Disciplinary Counsel

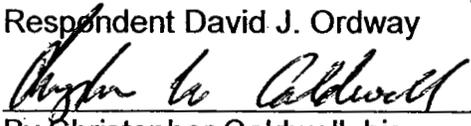
8/28/06
Date

Respondent David J. Ordway


David J. Ordway

8/28/06
Date

Respondent David J. Ordway


By Christopher Caldwell, his
attorney

AFFIDAVIT

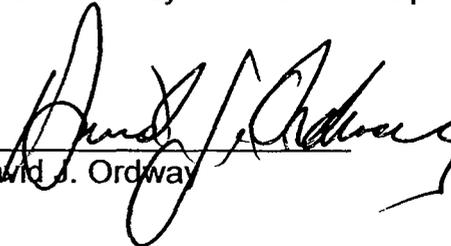
STATE OF CONNECTICUT)
)
COUNTY OF FAIRFIELD) SS: GREENWICH

The undersigned, David J. Ordway, being duly sworn, hereby deposes and says:

I am over the age of 18 and believe in the obligation of an oath. Pursuant to Practice Book §2-82, I make the following affidavit:

1. The Conditional Admission and Agreement as to Disposition attached hereto and made a part hereof is voluntarily submitted.
2. I am aware that I have a right to a full evidentiary hearing on this matter and I waive that right by entering into this agreement.
3. I have been neither subject to coercion nor duress and I am fully aware of the implications of this Affidavit and Conditional Admission.
4. I am aware of the current proceeding regarding my alleged violation of Rules 5.4, 5.5 and 8.4(4) of the Rules of Professional Conduct in connection with my involvement with Jose Ortiz.
5. I first met Mr. Ortiz thirteen or fourteen years ago, when I represented him in a workers' compensation matter.
6. In January or February, 2003, Mr. Ortiz moved his private investigation/consultant/immigration practice into my law office and paid me rent.
7. On August 4, 2005, I entered into a contractual agreement with Mr. Ortiz wherein he shared some expenses related to my office operation and we agreed to share fees on cases that either Mr. Ortiz pursued as an immigration consultant or which Mr. Ortiz referred to me for legal work.
8. I realize that as a non-lawyer, Mr. Ortiz and I cannot share fees related to legal work.
9. I learned that Mr. Ortiz had created letterhead stationery which indicated that he was an associate attorney in my office.

10. I asked Mr. Ortiz to stop, and I believe he did for a while. However, in the Spring or Summer of 2005, I again discovered that Mr. Ortiz was calling himself an associate, and during meeting with an immigration officer I New Jersey I learned that Mr. Ortiz had signed a G-28 appearance form as an attorney.
11. I severed my relationship with Mr. Ortiz, and sent letters to everyone that I could identify who had received communications from Mr. Ortiz advising them that he was not an attorney and was not associated with my office.
12. I deny that I assisted Mr. Ortiz with the unauthorized practice of law.
13. Quite to the contrary, when I discovered that Mr. Ortiz was representing himself as a lawyer, I took steps to notify the proper authorities, and it was through my involvement that Mr. Ortiz was arrested for three counts of the unauthorized practice of law.
14. I am willing to admit that my conduct, as above-described, violated Rule 5.4 of the Rules of Professional Conduct and I will accept a reprimand for this conduct.
15. I have offered to assist the Chief State's Attorney's Office with its prosecution of Mr. Ortiz.


David J. Ordway

Subscribed and sworn to before me
this 28th day of August, 2006.


Christopher W. Caldwell
Commissioner of the Superior Court