



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Maureen A. Horgan, *Assistant Bar Counsel*

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(860) 568-5157 Fax (860) 568-4953
Judicial Branch Website: www.jud.ct.gov

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

Attorney Gary P. Cahill
525 Bridgeport Avenue
Suite 201
Shelton, CT 06484

RE: Grievance Complaint #06-0896, Leffert v. Cahill

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* filed March 6, 2007 and submitted for approval in the above referenced matter. After careful consideration of the *Conditional Admission and Agreement as to Discipline*, the affidavit of the Respondent and the entire record, and after conducting a hearing pursuant to Practice Book §2-82(b) on March 7, 2007, the undersigned hereby APPROVE the *Conditional Admission and Agreement as to Discipline*, a copy of which is attached hereto. 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 and Agreement as to Discipline* is hereby made an order of this reviewing committee. The Respondent is reprimanded.

So ordered.

cc: Timothy J. Leffert, DC
Attorney John H. Welch, Jr.

(5)
asc

DECISION DATE: 4/5/07

Grievance Complaint #06-0896
Decision
Page 2

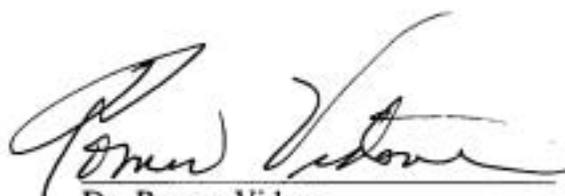
Jorene M. Couture
Attorney Jorene M. Couture

Grievance Complaint #06-0896
Decision
Page 3



Attorney Dominick J. Rutigliano

Grievance Complaint #06-0896
Decision
Page 4



Dr. Romeo Vidone

STATEWIDE GRIEVANCE COMMITTEE

RECEIVED

GRIEVANCE COMPLAINT NO. 06-0895

2007 FEB 29 A 8 49

OFFICE OF DISCIPLINARY COUNSEL

MAR - 6 2007

TIMOTHY J. LEFFERT,
Complainant

v.

GARY P. CAHILL,
Respondent

CONDITIONAL ADMISSION AND AGREEMENT AS TO DISPOSITION

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

1. This matter was instituted by grievance complaint filed by the Complainant, Dr. Timothy Leffert, on September 29, 2006.
2. On January 12, 2007, the Ansonia/Milford Judicial District Grievance Panel found probable cause that the Respondent violated Rules 1.15 (Safekeeping of Property) and 8.4(4) (Engaging in Conduct that is Prejudicial to the Administration of Justice) of the Rules of Professional Conduct in connection with the letter of protection dated July 22, 1998, which Attorney Cahill provided to Dr. Leffert on behalf of Attorney Cahill's client, Jeffrey Couture.
3. Attorney Cahill has tendered a conditional admission of fact in accordance with his affidavit attached hereto, admitting that he violated Rule 1.15 of the Rules of Professional Conduct.
4. Attorney Cahill acknowledges that he represented Jeffrey Couture in a personal injury lawsuit that arose out of a car accident on June 9, 1998. Mr. Couture visited chiropractor Dr. Leffert for injuries resulting from this accident. Upon request by Dr. Leffert, Attorney Cahill issued a letter of protection on July 22, 1998.
5. Attorney Cahill acknowledges that Mr. Couture's personal injury lawsuit settled for \$5,500.00 on or about April 7, 2004. Attorney Cahill deducted his fees and litigation costs from the settlement proceeds and distributed the remaining \$3,710.00 of the settlement to Mr. Couture.

Office of the Chief Disciplinary Counsel
100 Washington St.
Hartford, CT 06106
Tel: 860-706-5055 Fax: 860-706-5063

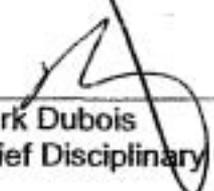
- 6. In August 2006, Dr. Leffert learned that Mr. Couture's lawsuit had settled. Dr. Leffert contacted Attorney Cahill on numerous occasions to discuss the settlement, but Attorney Cahill never responded to those inquiries.
- 7. Attorney Cahill and Disciplinary Counsel agree that Disciplinary Counsel would be able to present evidence that Attorney Cahill did not notify Dr. Leffert that Mr. Couture's lawsuit had settled, and did not protect Dr. Leffert's interest in the settlement under the Letter of Protection. Further, Attorney Cahill did not account for the settlement proceeds in response to Dr. Leffert's inquiries regarding the settlement. Attorney Cahill's conduct violated Rule 1.15.
- 8. Disciplinary Counsel has agreed to recommend that Attorney Cahill be reprimanded and be ordered by the Statewide Grievance Committee to pay immediate restitution to Dr. Leffert in the amount of \$1,500.00. Attorney Cahill agrees to pay Dr. Leffert within fourteen (14) days of receiving notice that the Statewide Grievance Committee has approved this agreement. Attorney Cahill will confirm with Disciplinary Counsel his timely payment to Dr. Leffert.
- 9. Complainant Dr. Leffert has been advised of this Conditional Admission and Affidavit, fully supports the proposed disposition, and has been informed of his opportunity to be heard on the issue of discipline before the Committee.

WHEREFORE, this matter is submitted to this Committee for the imposition of appropriate disposition in accordance with Practice Book § 2-82(a).

Office of Disciplinary Counsel

Date 5/1/07

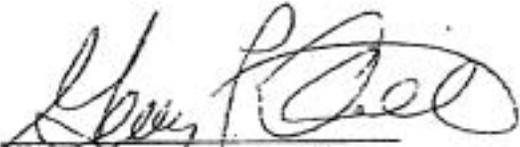
By:


 Mark Dubois
 Chief Disciplinary Counsel

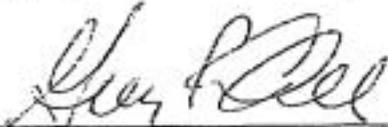
By: Respondent

Office of the Chief Disciplinary Counsel
 100 Washington St.
 Hartford, CT 06106
 Tel: 860-706-5055 Fax: 860-706-5063

2/26/07
Date


Attorney Gary P. Cahill

9. I agree and understand that Disciplinary Counsel is recommending that I be ordered by the Statewide Grievance Committee to pay immediate restitution to Dr. Leffert in the amount of \$1,500 and that I be reprimanded. I further agree that I will pay Dr. Leffert \$1,500 within fourteen (14) days of receiving notice that the Statewide Grievance Committee has approved this agreement. I will confirm my timely payment to Disciplinary Counsel.



 ATTORNEY GARY P. CAHILL

Subscribed and sworn to before me

^{26th Feb}
 this day March, 2007.



 Notary Public
 Commissioner of the Superior Court