



STATE OF CONNECTICUT
JUDICIAL BRANCH

STATEWIDE GRIEVANCE COMMITTEE

Michael P. Bowler, *Statewide Bar Counsel*

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Attorney Patricia A. King
First Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
100 Washington Street
Hartford, CT 06106

Attorney John J. Evans
Evans Law Offices, LLC
733 Summell Street, Suite 202
Stamford, CT 06901

RE: Grievance Complaint #08-0043, Nathaniel Paulino v. John J. Evans

Dear First Assistant 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 November 13, 2008 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(d) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on November 13, 2008, 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 First Assistant 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: Mr. Nathaniel Paulino
Attorney Nicholas E. Wocł
Attorney Eugene J. Riccio

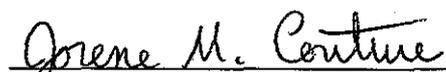
DECISION DATE: 12/5/08

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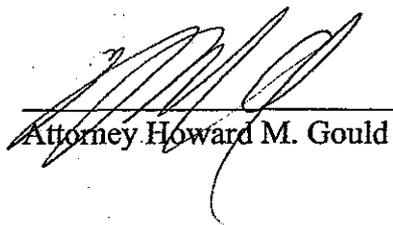


Attorney Jorene M. Couture

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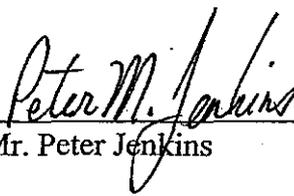


Attorney Howard M. Gould

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Mr. Peter Jenkins

STATEWIDE GRIEVANCE COMMITTEE
GRIEVANCE COMPLAINT # 08-0043

NATHANIEL PAULINO
Complainant
vs.

JOHN EVANS
Respondent

CONDITIONAL ADMISSION AND AGREEMENT AS TO DISPOSITION

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 on January 11, 2008
2. On June 3, 2008 the grievance panel for the Stamford / Norwalk Judicial District found probable cause that the Respondent violated Rules 1.3 Diligence Rule 1.16(d) Improper Termination and 1.16 Failure to withdraw from representation after termination in connection with the Respondent's representation of the Complainant in a personal injury case.
3. The Respondent represented the Complainant in a claim for personal injuries arising from an accident in May, 2001. Unbeknownst to the Respondent, the tortfeasor died several months after the accident.
4. The Respondent timely filed suit with a return date in June 2003, and learned in May 2004 that the defendant had died.
5. The Respondent was unable to open an estate for the purpose of prosecuting his lawsuit because there was no one willing to be the fiduciary, and the estate was otherwise without assets.
6. The lawsuit was dismissed in August 2006 because there was no estate opened for the purposed of defending the lawsuit.
7. In September 2006 the Respondent finally found someone willing to serve as fiduciary and filed a second lawsuit against the defendant's estate.
8. In November 2007 the Complainant discharged the Respondent and retained other counsel to take over the case.

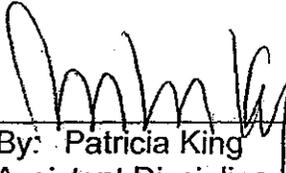
Office of the Chief Disciplinary Counsel
100 Washington St.
Hartford, CT 06106
Tel: 860-706-5055 Fax: 860-706-506

9. New counsel requested the file numerous times by letter and fax.
10. The Respondent admits that there is sufficient evidence to prove the material facts of the complaint by clear and convincing evidence that he violated Rule 1.16 Improper Termination in that he continued to represent the Complainant after being notified that he was discharged as counsel.
11. Disciplinary Counsel has agreed to recommend to the Statewide Grievance Committee that the matter be resolved by the imposition of a reprimand. The Respondent understands that the foregoing constitutes imposition of discipline pursuant to Practice Book § 2-37(a).
12. The terms of this agreement have been communicated to the Complainant, who does not object.

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

Office of Disciplinary Counsel,

11/13/08
Date


By: Patricia King
Assistant Disciplinary Counsel

Respondent, John Evans

11/13/08
Date


John Evans

AFFIDAVIT

STATE OF CONNECTICUT)

COUNTY OF)

ss.

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:

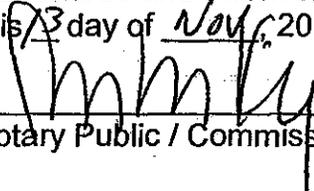
1. The Conditional Admission attached hereto and made a part hereof is voluntarily submitted.
2. I hereby consent to the form of disposition set forth in the attached Conditional Admission.
3. I am aware that I have a right to a full evidentiary hearing on this matter and I waive that right under the conditions set forth in the Conditional Admission and Agreement as to Disposition by entering into this agreement.
4. I have been neither subject to coercion nor duress and I am fully aware of the implications of this Affidavit and Conditional Admission.
5. I am not represented by counsel in this matter.
6. I am aware of the current proceeding regarding my alleged violation of Rules 1.3 Diligence Rule 1.16(d) Improper Termination and Rule 1.16 Failure to withdraw from representation after termination in connection with the Respondent's representation of the Complainant in a personal injury case.
7. I admit there is sufficient evidence to prove the material facts of the complaint by clear and convincing evidence that I violated Rule 1.16 Improper Termination in that I continued to represent the Complainant after being notified that he was discharged as counsel.
8. I understand that Disciplinary Counsel has agreed to recommend to the Statewide Grievance Committee that the matter be resolved by the imposition of
a. reprimand.

9. I understand that the foregoing constitutes imposition of discipline pursuant to Practice Book § 2-37(a).

10. The foregoing is true and accurate to the best of my knowledge and belief.


John Evans

Subscribed and sworn to before me
this 13 day of Nov., 2008.


Notary Public / Commissioner of the Superior Court