

1 Case Number: NG11-1515

2 STATE BAR OF NEVADA

3 NORTHERN NEVADA DISCIPLINARY BOARD

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5 STATE BAR OF NEVADA, )  
 )  
 6 Complainant, )  
 )  
 7 vs. )  
 )  
 8 JAMES ADAMS, ESQ. )  
 STATE BAR NO. 6874, )  
 )  
 9 Respondent. )  
 10 )

FILED

MAR 28 2013

STATE BAR OF NEVADA

11 PUBLIC REPRIMAND

12 TO: James Adams, Esq.  
 c/o Puonyarat Premsrirut  
 13 520 S. Fourth Street, 2<sup>nd</sup> Floor  
 Las Vegas, NV 89101

14 In February, 2011, you were approached by an out-of-state attorney who represented

15 to you that he was the director of a non-profit, Nevada, multi-jurisdictional law firm (the Law

16 Firm") which purportedly practiced primarily in the area of assisting struggling homeowners

17 regarding their troubled mortgages. In March of 2011, you met with the out-of-state attorney

18 wherein he discussed with you potential claims clients of the Law Firm allegedly had against

19 a national mortgage banking company. The out-of-state attorney discussed the possibility of

20 you participating as lead counsel in a "multi-joinder" litigation. The out-of-state attorney

21 represented to you that the Law Firm had a number of existing clients that were aggrieved by

22 the national mortgage banking company and that they would be candidates as plaintiffs for

23 the multi-joinder litigation. You were aware that the out-of-state attorney was not licensed to

24 practice law in the state of Nevada.

1 From March through July of 2011, you contemplated forming a co-counsel relationship  
2 with the Law Firm and drafted a complaint for fraud and negligence against a national  
3 mortgage banking firm. The complaint was not a multi-joinder action, but an action  
4 identifying only two plaintiffs, who were clients of your law firm.

5 The Law Firm posted a copy of your complaint on its website and showed it to  
6 homeowners seeking legal assistance regarding their mortgage. You permitted the Law Firm  
7 to show the complaint to its clients. Unbeknownst to you, the out-of-state attorney and the  
8 Law Firm used the complaint to induce homeowners to pay to the Law Firm up-front fees and  
9 continuing monthly fees. It was explained to the homeowners by the Law Firm that the fees  
10 were to pay for the ongoing expenses associated with a "multi-joinder" litigation in which the  
11 homeowners understood they would be named as a plaintiff. In fact, the representations of  
12 the Law Firm to its clients were false. The homeowners were never included as plaintiffs in  
13 any multi-joinder lawsuit, yet the Law Firm charged and retained legal fees anyway.

14 The out of state attorney was not authorized to practice law in Nevada. By your  
15 conduct, you assisted the out-of-state attorney in engaging in the unauthorized practice of  
16 law in the State of Nevada. You failed to conduct an adequate inquiry into the legal status of  
17 the out of state attorney or the activities of the Law Firm. Therefore, you have violated  
18 Nevada Rules of Professional Conduct 5.5(a)(2) which states, "A lawyer shall not... Assist  
19 another person in the unauthorized practice of law." For this violation, you have accepted  
20 responsibility.

21 The Law Firm, without your consent, identified you on its fee agreement as "of  
22 counsel". You discontinued your anticipated association with the Law Firm as soon as you  
23 became aware of the Law Firm's questionable practices and at the same time, demanded  
24 that your name be removed from their agreements.

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1 In mitigation, it is understood that the out of state attorney and through his non-  
2 attorney associates created a false appearance of legitimacy. The State Bar's investigation  
3 did not produce any evidence that you or your law firm profited from the activities of the out  
4 of state attorney or the Law Firm. You have cooperated with the State Bar's investigation.  
5 You have satisfied the State Bar and the Committee that you will be more cautious in the  
6 future.

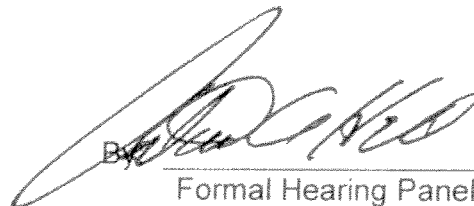
7 In a time such as this, when many people have been financially injured by a severe  
8 economic downturn, it is incumbent upon attorneys to be ever vigilant of those who may not  
9 be well intentioned, and who may seek to harm the least advantaged among us.

10 Every lawyer is responsible for observance of the Rules of Professional Conduct.  
11 Neglect of even the least of these responsibilities, and those unintended consequences  
12 occasioned therefrom, may compromise the independence of the profession and the public  
13 which it serves.

14 In light of the foregoing, you have violated Nevada Rules of Professional Conduct  
15 5.5(a)(2) (assisting in the unauthorized practice of law) and are hereby PUBLICLY  
16 REPRIMANDED.

17 The Formal Hearing Panel also directed that you complete 3 ethics credits each year  
18 for a period of 5 years.

19 Dated this 28th day of March, 2013.

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23 Formal Hearing Panel Chair  
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