

1 Case No. 10-040-2810

2 STATE BAR OF NEVADA

FILED

3 SOUTHERN NEVADA DISCIPLINARY BOARD

JAN 13 2012

4  
5   
STATE BAR OF NEVADA

6 STATE BAR OF NEVADA, )  
7 Complainant, )  
8 v. )  
9 JERRY T. DONOHUE, ESQ., )  
10 BAR No. 8793 )  
11 Respondent. )

PUBLIC REPRIMAND

11 TO: JERRY T. DONOHUE, ESQ.  
12 c/o Michael J. Warhola, Esq.  
13 625 South Sixth Street  
14 Las Vegas, Nevada 89101-6011

15 In late 2006, Patricia Warnock, began talking with you about starting a ticket business.  
16 In January 2007, Warnock began drafting documents for Ticket King, LLC. Warnock drafted  
17 the Articles of Organization, Operating Agreement and licensing documents for your  
18 signature. The documents were signed by you and Warnock making them 50/50 partners in  
19 Ticket King. You and Warnock opened a bank account at Wells Fargo Bank for Ticket King,  
20 depositing \$1,500.00 into the account and were both signatories on the account.

21 Warnock scheduled tickets for the appropriate courts either via fax adjudication or court  
22 sessions with minimal or no input from you. The day to day client contact was done through  
23 Warnock. Clients only met with you if they had to appear at a hearing with him or for a  
24 warrant if it was a DUI or potential DUI.

25 You instructed Warnock to handle all aspects of the ticket process from start to finish  
except when you were required to appear for a hearing. You and Warnock put together a  
commercial and began an advertising campaign including television, newspaper and  
telephone book advertisement. Warnock signed all contracts and opened a merchant  
processing account so Ticket King could process credit card payments.

In the beginning of 2008, Ticket King hired an employee who answered the telephones  
and instructed clients on whether or not Ticket King could assist them. Warnock and the new  
employee would either intake clients over the phone or in person. Warnock supervised the  
employee 4-5 hours per day 4-5 days per week.

1 In your response to the State Bar, you explained that you did not view Ticket King as a  
2 law firm because it was a separate limited liability company to simply process traffic tickets  
3 and related matters. You and Warnock were supposed to apportion the profits in the form of  
4 a modest salary and toward an advertising budget, once realized. You both were supposed  
5 to work for free until the business became solvent enough to pay said salaries, with you  
6 providing the legal work and Warnock and other employees administratively processing the  
7 citations.

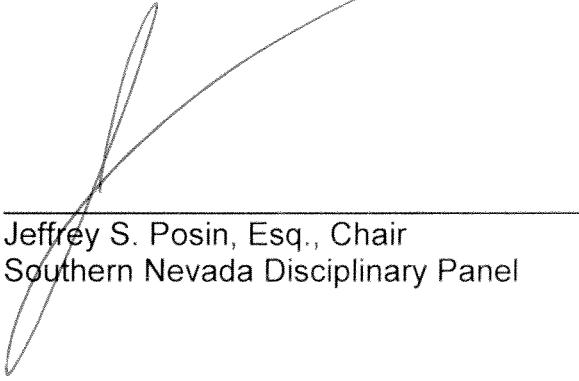
8 In January 2010, Ticket King LLC, dissolved and closed its doors. On January 26,  
9 2010, you filed his application for a new business license for Ticket King currently located at  
10 1117 Desert Lane.

11 In mitigation, the Panel considered that you have been licensed to practice law in  
12 Nevada since April 2004, have no record of prior discipline, and that there is no evidence of  
13 client harm as a result of the misconduct set forth herein. The Panel further accepted your  
14 explanation that you only negligently rather than knowingly assisted in the unauthorized  
15 practice of law.

16 In determining the appropriate sanction, the Panel also relied upon your  
17 representations that you are conducting your current Ticket King business under your own  
18 practice, at your current place of business and which you solely own. You further represented  
19 that you alone decide which clients to represent and you have complete control of all client  
20 funds received in your practice.

21 Based upon the foregoing, you violated Rule of Professional Conduct (RPC) 5.3  
22 (Responsibilities Regarding Nonlawyer Assistants), RPC 5.4 (Professional Independence of a  
23 Lawyer), and RPC (5.5 (Unauthorized Practice of Law) and are hereby **PUBLICLY**  
24 **REPRIMANDED**. In addition, you are fined \$500.00 and directed to pay the costs of these  
25 disciplinary proceedings

DATED this 13 day of January 2012.

  
\_\_\_\_\_  
Jeffrey S. Posin, Esq., Chair  
Southern Nevada Disciplinary Panel