

1 Case No. NG11-1514

2 STATE BAR OF NEVADA



FILED

3 NORTHERN NEVADA DISCIPLINARY BOARD

JUN 21 2013

STATE BAR OF NEVADA

BY: *[Signature]*
OFFICE OF BAR COUNSEL

4

5 STATE BAR OF NEVADA,)

6 Complainant,)

7 vs.)

8 PAUL FREITAG, ESQ.,)

9 NEVADA BAR NO. 216)

10 Respondent.)

PUBLIC REPRIMAND

11 TO: Paul Freitag, Esq.
 12 885 Tyler Way
 13 Sparks, NV 89431

14 In early Spring 2011, after returning to work from an illness, your business associate
 15 Eric Deitlan relayed that non-Nevada attorney William Breck wanted you to serve on the
 16 Board of Directors for the Public Interest Law Firm ("PILF"). You agreed to serve on PILF's
 17 Board in a voluntary capacity. Sometime after your agreement to serve, you learned that
 18 Breck had already added you as an incorporator and director of PILF.

19 You were aware at the time you agreed to serve that non-lawyers were listed as
 20 directors of PILF. PILF advertised and promoted itself of as a 501(c)(3) non-profit public
 21 interest law firm, which it was not. PILF identified you as a director and as "of counsel" for
 22 approximately a year and included this information in their client fee agreement.

23 The law firm advertised that it practiced primarily in the area of assisting struggling
 24 homeowners regarding their troubled mortgages. The law firm represented to clients that for
 25 a fee they would be included in a multi-joinder or mass-joinder lawsuit against their lender
 and that the lawsuit would prevent a foreclosure. In fact, the representations of the law firm

1 to its clients were false. There was no such multi-joinder or mass-joinder lawsuit. The
2 homeowners were never included as plaintiffs in any multi-joinder lawsuit, yet the law firm
3 charged and retained legal fees anyway.

4 When you were contacted by the Office of Bar Counsel, you explained that while you
5 did agree to be on the Board of PILF, you had since resigned and had not given the law firm
6 authority to use your name on their fee agreement. You assured Bar Counsel that you did
7 not receive any fees or compensation from the law firm.

8 The President/Executive Director of PILF was not authorized to practice law in
9 Nevada. By your conduct, you assisted the out-of-state attorney in engaging in the
10 unauthorized practice of law in the State of Nevada. You failed to conduct an adequate
11 inquiry into the legal status of the out of state attorney or the activities of the law firm.
12 Therefore, you have violated Nevada Rules of Professional Conduct 5.5(a)(2) which states,
13 "A lawyer shall not... assist another person in the unauthorized practice of law." For this
14 violation, you have accepted responsibility.

15 You discontinued your anticipated association with the law firm as soon as you
16 became aware of the law firm's questionable practices and at the same time, demanded that
17 your name be removed from their agreements.

18 In mitigation, it is understood that the out of state attorney and through his non-
19 attorney associates created a false appearance of legitimacy. The State Bar's investigation
20 did not produce evidence that you or your law firm profited from the activities of the out of
21 state attorney or the law firm. You have cooperated with the State Bar's investigation.

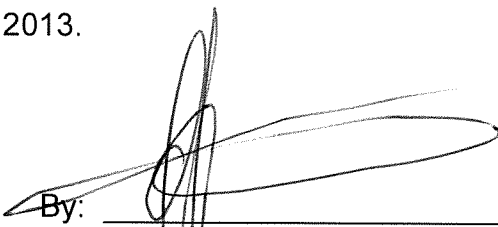
22 In a time such as this, when many people have been financially injured by a severe
23 economic downturn, it is incumbent upon attorneys to be ever vigilant of those who may not
24 be well intentioned, and who may seek to harm the least advantaged among us.

25 Every lawyer is responsible for observance of the Rules of Professional Conduct.

1 Neglect of even the least of these responsibilities, and those unintended consequences
2 occasioned therefrom, may compromise the independence of the profession and the public
3 which it serves.

4 In light of the foregoing, you have violated Nevada Rules of Professional Conduct
5 5.5(a)(2) (assisting in the unauthorized practice of law) and are hereby PUBLICLY
6 REPRIMANDED.

7 Dated this 20th day of June, 2013.

8
9 
10 By: _____

Douglas Rands, Esq.
Formal Hearing Panel Chair
Northern Nevada Discipline Board