

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
GARY LIPSMAN, ESQ.

No. 51641

**FILED**

JUL 02 2008

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that we approve a conditional guilty plea in exchange for a stated form of discipline pursuant to SCR 113 for attorney Gary Lipsman. Under the agreement, Lipsman admitted to violating RPC 8.1(b) (failure to respond to disciplinary authority) with respect to three grievances. The agreement provides for a one-year suspension, to be stayed, subject to a two-year probation period with conditions. The conditions require Lipsman to timely respond to any communication from the State Bar; if even one letter is not answered, then the State Bar may petition this court to immediately impose the suspension. In addition, Lipsman must attend six hours of continuing legal education (CLE) during his first year of probation, including at least one class in time management; he must keep the State Bar informed of any address changes; and he must pay the disciplinary proceeding's costs.

At the hearing, Lipsman testified concerning injuries he received in a 2003 accident and their impact on his law practice. Prior to the accident, he had received no discipline since he was admitted in 1991; since the accident, he had received private reprimands and a 90-day suspension for failure to respond to the State Bar's inquiries. Assistant

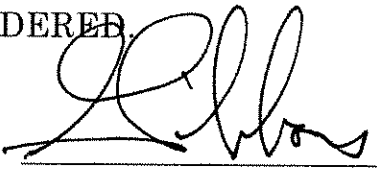
Effective Date: July 2, 2008  
Bar Number: 4320

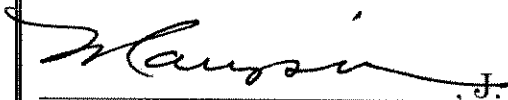
08-16854

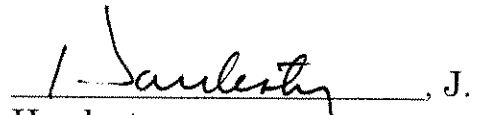
Bar Counsel Phillip Pattee represented that any letter from the State Bar to Lipsman concerning a disciplinary grievance would be sent by certified mail, return receipt requested, so that the State Bar had a record of when Lipsman received it. The hearing panel approved the agreement.

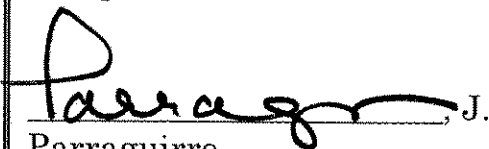
Having reviewed the record, we conclude that the plea agreement should be approved.<sup>1</sup> Accordingly, Lipsman is suspended for one year, with the suspension stayed subject to a two-year probation period. During the probation period, Lipsman must timely respond to any inquiry from the State Bar, which shall be sent by certified mail, return receipt requested. Should Lipsman fail to respond in a timely fashion to any letter, then the State Bar may petition this court for immediate imposition of the one-year suspension. Lipsman shall also comply with the other conditions in the agreement.

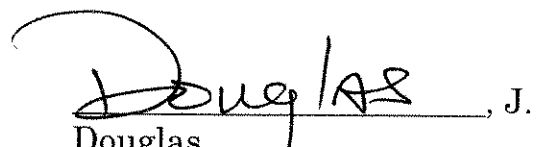
It is so ORDERED.

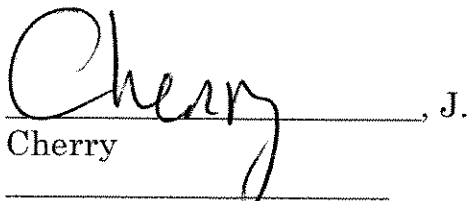
  
\_\_\_\_\_, C.J.  
Gibbons

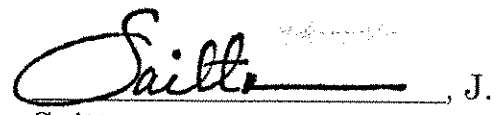
  
\_\_\_\_\_, J.  
Maupin

  
\_\_\_\_\_, J.  
Hardesty

  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

<sup>1</sup>See SCR 113(1).

cc: Jeffrey D. Albregts, Chair, Southern Nevada Disciplinary Board  
Rob W. Bare, Bar Counsel  
Kimberly K. Farmer, Executive Director  
William B. Terry, Chartered