

**In Re: Vicki Greco**  
**Bar No.: 8476**  
**Case No.: 70067**  
**Filed: April 22, 2016**

**ORDER IMPOSING  
 TEMPORARY SUSPENSION**

*Attorney ordered temporarily suspended after presentation of evidence she misrepresented facts and submitted false evidence at judicial proceedings, and failed to safeguard client funds.*

The Southern Nevada Disciplinary Board petitioned the Supreme Court to temporarily suspend attorney Vicki Greco, pending the result of a formal hearing, citing evidence to support misrepresentation of facts, submission of false evidence in judicial proceedings and failure to safeguard client funds.

Due to the evidence presented, the court approved the temporary suspension. In addition, the court placed restrictions on Greco's handling of funds as follows.

Except upon written approval of bar counsel:

All proceeds from Greco's practice of law, along with all fees and other funds received from, or on behalf of, her clients shall, from the date of service of this order, be deposited into a trust account from which Greco may not make any withdrawals; and

Greco is prohibited from withdrawing any funds from any accounts that relate to her law practice in any way. This includes, but is not limited to, her general and trust accounts.

The Southern Nevada Disciplinary Board also requested that Greco be precluded from representing existing clients immediately upon service of the order of temporary suspension. The court rejected this request.

**In Re: Beau Sterling**  
**Bar No.: 6833**  
**Case No.: 68944**  
**Filed: March 10, 2016**

**ORDER TRANSFERRING  
 ATTORNEY TO DISABILITY  
 INACTIVE STATUS**

*Attorney transferred to disability inactive status after a determination that he is unable to continue with practice.*

Attorney Beau Sterling and the Office of Bar Counsel jointly petitioned the court for an order transferring Sterling to disability inactive status. The court previously referred this matter to the Southern Nevada Disciplinary Board, "for hearing and recommendation by a hearing panel." Having reviewed the petition, the supporting documents, the transcripts of the hearing and the hearing panel's written decision, the court concluded that the relief requested in the petition is warranted because Sterling is "incapable of continuing the practice of law," due to a mental infirmity. Accordingly, the court transferred Sterling to disability inactive status. He may not resume active status until he files a petition for reinstatement as provided in SCR 117(4), and is reinstated by order of the court. In light of this order, any pending disciplinary proceedings against Sterling are suspended. (The disciplinary proceedings will resume if Sterling is reinstated to active status.)

**In Re: Dale Edward Haley**  
**Bar No.: 571**  
**Case No.: 69783**  
**Filed: April 22, 2016**

**ORDER APPROVING  
 CONDITIONAL GUILTY PLEA  
 AGREEMENT**

*Attorney suspended 90 days following admission of multiple violations related to client communication, safekeeping property, misconduct and other matters.*

A Southern Nevada Disciplinary Board hearing panel recommended to the court a conditional guilty plea

agreement for attorney Dale Edward Haley. As part of the agreement, Haley admitted to violations of multiple rules, including RPC 1.4 (communication), RPC 1.5(a) (fees), RPC 1.15(a) (safekeeping property), RPC 8.1(b) (bar admission and disciplinary matters), and RPC 8.4(a) and (d) (misconduct). Haley also admitted to a violation of RPC 1.5(c) (fees), arising from a separate client grievance. The panel ordered the state bar to issue a letter of caution for this violation.

The agreement provided for a 90-day suspension, a refund of payment to a specific client, as ordered by the Fee Dispute Arbitration Award, and a payment to the bar for costs. Haley would also be required to obtain two additional CLE credits related to client communication within one year.

The court, upon reviewing the evidence, approved the conditional guilty plea agreement, including the 90-day suspension, payment to the client, payment of costs to the bar and two additional CLE credits related to client communication.

**In Re: Lynn R. Shoen**  
**Bar No.: 1197**  
**Case No.: 69697**  
**Filed: April 22, 2016**

**ORDER APPROVING  
 CONDITIONAL GUILTY PLEA  
 AGREEMENT**

*Attorney suspended four years and six months, retroactive to April 24, 2014, following admissions to more than 40 rule violations.*

A hearing panel of The Southern Nevada Disciplinary Board recommended a conditional guilty plea agreement to the Supreme Court for attorney Lynn Shoen.

Shoen admitted to more than 40 violations including RPC 1.3 (diligence), RPC 1.4 (communication), RPC 1.8 (conflict of interest: current clients: specific rules), RPC 1.15 (safekeeping property), RPC 3.4 (fairness to opposing party and counsel), RPC 8.1 (a) (bar admission and disciplinary matters) and RPC 8.4 (misconduct). The agreement

includes a four-year and six-month suspension, retroactive to April 24, 2014, when Shoen was temporarily suspended, and restitution of \$25,100 to be made in monthly payments over the course of a year. The agreement also requires that Shoen take six CLE classes during each year of her suspension and that she retake the MPRE examination within 60 days of her reinstatement. Upon reinstatement, Shoen will be prohibited from maintaining her own practice; instead she must work under the supervision of an attorney with at least 15 years' experience. She will also be prohibited from acting as a signatory or gaining access to any trust account, client or third-party funds.

The court, while noting the egregious nature of Shoen's actions, including continued bad acts following a complaint to the bar, agreed to the suspension, citing the conditions upon her reinstatement as acting to protect the public and profession.

**In Re: Charles C. Lobello**  
**Bar No.: 5052**  
**Case No.: 69779**  
**Filed: April 22, 2016**

#### **ORDER APPROVING CONDITIONAL GUILTY PLEA**

*Attorney suspended for four years, retroactive to July 29, 2013, following multiple admissions of wrongdoing and a felony guilty plea.*

A Southern Nevada Disciplinary Board hearing panel recommended the court approve a conditional guilty plea for attorney Charles Lobello. As part of the plea, Lobello admitted to violations of RPC 8.4(b) (misconduct: commission of a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer) and RPC 8.4(c) (misconduct: engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation).

The agreement includes a four-year suspension, retroactive to July 29, 2013, the date on which Lobello was temporarily suspended following a felony conviction for tax evasion.

The court approved the suspension, retroactive to July 29, 2013. Lobello will also be required to pay the costs of the disciplinary proceedings.

**In Re: William Errico**  
**Bar No.: 6633**  
**Case No.: 70128**  
**Filed: April 25, 2016**

#### **ORDER DENYING PETITION FOR TRANSFER TO DISABILITY INACTIVE STATUS**

*Attorney's petition to move to disability inactive status denied and pending disciplinary hearing reinstated.*

Attorney William Errico applied for an emergency transfer to disability inactive status pending a competency determination. This motion was opposed by the state bar. Errico also moved to stay an underlying disciplinary charge.

The Supreme Court determined that Errico had met the requirements to be placed on disability inactive status, pending a determination as to his ability to defend himself in disciplinary hearings. However, the court denied the motion to stay the underlying disciplinary action, noting that Errico waited until three days before the start of the hearing to file the emergency motion. The court also questioned the evidentiary basis behind the motion. It referred the question of Errico's competence to the Southern Nevada Disciplinary Board.

A disciplinary board hearing panel conducted the competency hearing on April 14, and concluded that the stroke Errico suffered in 2014 did not preclude him from practicing law over the last several years, and that ongoing treatment was addressing his other issues. Thus, the panel recommended denial of the SCR 117 petition.

The court, following the review of the petition and record of the competency hearing, approved the panel's recommendation, denying Errico's transfer to disability inactive status. Pending disciplinary hearings are therefore reinstated.

## **TIPS FROM THE OFFICE OF BAR COUNSEL**

### **Issue:**

**A former client has filed a grievance against me, saying I didn't do right by him during his case. He made inaccurate statements to the bar when filing the grievance.**

**To defend myself most effectively, I would have to reveal information he shared with me; however, I obviously don't want to violate attorney-client privilege. What are my options?**

### **Answer:**

The attorney-client privilege is likely the most important protection lawyers' clients have. However, there are a few exceptions to RPC 1.6, and the situation you describe represents one of them. Section (b)(5) provides protection for you, the attorney, in circumstances just like this, allowing you to establish a defense regarding your representation, whether it be criminal, civil or disciplinary.

This can include past behavior, if relevant. If your client has lied in the complaint against you, you may respond that the client has made statements to you that were later proven false.

You may not, however, say that he admitted to stealing a car.