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STATE BAR OF NEVADA

1 Case Numbers 04-103-0898, 04-104-0898

2 STATE BAR OF NEVADA

3 SOUTHERN NEVADA DISCIPLINARY BOARD

4 STATE BAR OF NEVADA,)
)
 5 Complainant,)
)
 6 vs.)
)
 7 WILLIAM L. WOLFBRANDT, ESQ.,)
)
 8 Respondent.)
)

PUBLIC REPRIMAND

9 TO: William L. Wolfbrandt, Esq.
 10 302 East Carson Avenue, Suite 810
 11 Las Vegas, Nevada 89101

12 **Count 1- Grievance File Number 04-103-0898 (Paris Fish).**

13 Paris M. Fish hired you in or about 2003 to handle a business license matter in
 14 North Las Vegas, Nevada. Mr. Fish had purchased commercial property which
 15 contained an ongoing fork-lift repair business, which he also purchased. Although the
 16 prior owner had a valid business license to operate the business, officials with the City
 17 of North Las Vegas informed Mr. Fish that he would need to have to acquire a variance,
 18 a use permit, along with other items, in order to qualify for the same license.

19 Both you and Mr. Fish met with city officials regarding the matter and, as a result
 20 of the meeting, you were to file the appropriate forms with the city. On August 19, 2004,
 21 Mr. Fish complained to the State Bar that you failed to do so. Mr. Fish further
 22 complained to the State Bar about your lack of communication, namely that you failed to
 23 return approximately forty telephone calls.

24 In your October 1, 2004, response to the State Bar, you claimed that you had
 25 obtained dismissals for all four of the citations that Mr. Fish received due to operating

1 his business without a license. In addition, you also claimed that you had spoken with
2 Mr. Fish since receiving the State Bar's letter of investigation and that Mr. Fish still
3 wanted you to pursue the above-mentioned zoning matters and thus you would try to
4 have the applications complete within the next ten days.

5 The State Bar telephoned Mr. Fish on December 6, 2004, and again on January
6 28, 2005. In both conversations Mr. Fish stated that you had not yet completed his
7 applications, nor were you returning his telephone calls.

8 On March 2, 2005, the State Bar filed its Formal Complaint regarding Grievance
9 File 04-103-0898. You filed your Answer with the State Bar on April 5, 2005.

10 On May 20, 2005, you sent the State Bar a letter wherein you represented that
11 you were actively working on Mr. Fish's matter. On June 13, 2005, a copy of the May
12 20, 2005, letter was forwarded to Mr. Fish.

13 On August 18, 2005, Mr. Fish responded, noting that although you had called to
14 reassure him that you were handling his case, you were again failing to return his
15 telephone calls. Further, you did not return phone calls to the State Bar regarding the
16 August 18, 2005, letter, prior to September 8, 2005, claiming that you were preparing
17 for, and took part in, a week-long trial that occurred at the end of August 2005.

18 You met with the State Bar on September 19, 2005. During the meeting, you
19 represented that Mr. Fish still desired for you to complete the zoning matter and you
20 stated that you could finish Mr. Fish's zoning matter in the next six months.

21 After the meeting, the State Bar spoke with Mr. Fish, who stated that he wished
22 to keep you as his attorney and would be satisfied if you completed the matter within six
23 months. Mr. Fish also noted that he has been able to operate his business while the
24 rezoning matter was pending.

1 In light of the foregoing, you violated SCR 153 (Diligence) and SCR 154
2 (Communication).

3 **Count 2 – Grievance File Number 04-104-0898 (Robert Vaughn).**

4 In or about January 2004, Robert Vaughn hired you to obtain rezoning for his
5 property as well as to resolve a citation that he had received from North Las Vegas
6 Code Enforcement. Mr. Vaughn was referred to you by Mr. Fish, whose property is
7 located across the street from Mr. Vaughn's parcel.

8 Mr. Vaughn complained to the State Bar on August 20, 2004, alleging, in part,
9 that you had failed to return any of his telephone calls and that his zoning matter
10 remained unresolved.

11 Your response to the State Bar dated October 1, 2004, claimed that you had only
12 recently been retained by Mr. Vaughn, and you further stated that you were in the
13 process of completing the rezoning application, and had unsuccessfully tried to contact
14 Mr. Vaughn, but remained confident that you would soon complete Mr. Vaughn's matter.

15 Mr. Vaughn replied to your response on October 16, 2004, stating that he had
16 not yet heard from you, that you had not left any messages on his voice mail, and that
17 you had not returned his phone calls.

18 On March 2, 2005, the State Bar filed its Formal Complaint regarding Grievance
19 File 04-104-0898. You filed your Answer with the State Bar on April 5, 2005.

20 You sent the State Bar a letter dated May 20, 2005, wherein you noted that you
21 had met Mr. Vaughn in March 2005. In that meeting, Mr. Vaughn informed you that he
22 had hired someone else to obtain the zoning change, which was to get his property,
23 classified as rural-estates, designated commercial.

24 During that same meeting, you and Mr. Vaughn discussed a refund in the
25 amount of \$1,500 and you offered Mr. Vaughn a check in that amount. However, Mr.

1 Vaughn declined the check at the time. Mr. Vaughn confirmed the same in a later
2 conversation with the State Bar.

3 On June 13, 2005, a copy of the May 20, 2005, letter was forwarded to Mr.
4 Vaughn. On September 19, 2005, the State Bar received correspondence from Mr.
5 Vaughn. In that letter, Mr. Vaughn stated that although you had agreed to return \$1,500
6 of the initial retainer, to date you had not refunded the monies.

7 On September 20, 2005, you informed the State Bar that, at the time of your May
8 20, 2005, letter, you had the ability to refund Mr. Vaughn the money. However, soon
9 after the letter was sent, the Internal Revenue Service issued several levies against
10 you. In short, the IRS seized over \$12,000 as a result of the levies.

11 As a result, you no longer had sufficient funds in which to refund the \$1,500 to
12 Mr. Vaughn, who had changed his mind and now desired the refund. You believe that
13 two personal injury matters you are currently handling should settle in the next three
14 months. The proceeds from these two cases will permit you to refund Mr. Vaughn the
15 \$1,500.

16 In light of the foregoing, you violated SCR 153 (Diligence) and SCR 154
17 (Communication).

18 Pursuant to your Conditional Guilty Plea tendered in accordance with SCR
19 113(1), you are hereby PUBLICLY REPRIMANDED for violations of SCR 153
20 (Diligence) and SCR 154 (Communication).

21 Pursuant to the terms of the Conditional Guilty Plea, you shall:

22 (1) Complete Paris Fish's zoning matter within one-hundred eighty days of the
23 Disciplinary Panel's approval of the conditional guilty plea, which occurred on
24 September 21, 2005;

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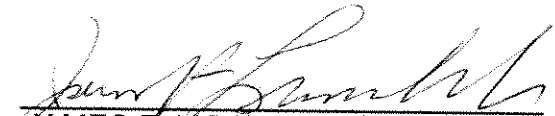
1 (2) Refund \$1,500 to Robert Vaughn within ninety days of the Disciplinary
2 Panel's approval of the conditional guilty plea, which occurred on September 21, 2005;

3 (3) Pay the costs of the disciplinary proceedings in accordance with SCR 120;
4 and

5 (4) Should either Mr. Fish or Mr. Vaughn further complain to the State Bar
6 regarding the above matters after the expiration of the applicable one-hundred eighty
7 day and/or ninety day period as described above, the Office of Bar Counsel has the
8 right to reconvene this Panel.

9
10 DATED this 5th day of October, 2005.

11
12 STATE BAR OF NEVADA

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14 
15 JAMES F. LISOWSKI, ESQ.
16 Formal Hearing Panel Chair
17 Southern Nevada Disciplinary Board
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