

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF
DISCIPLINE OF GARY
LIPSMAN, ESQ.

No. 48260

FILED

MAR 05 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Casella*
DEPUTY CLERK

ORDER OF CONDITIONAL STAYED SUSPENSION

This is an automatic appeal from a Southern Nevada Disciplinary Board hearing panel's finding that attorney Gary Lipsman violated SCR 200(2) (bar association and disciplinary matters),¹ and its resultant recommendation that Lipsman be disciplined in the form of a three-month suspension, to be stayed for two years, subject to the

¹The rules governing professional conduct were substantially revised after the state bar instituted the underlying complaints against Lipsman, and the former rules apply. Nevertheless, no change other than renumbering was made to the provision relevant to this matter. See RPC 8.1(b).

following conditions: Lipsman must (1) attend one Continuing Legal Education class in law practice management within one year from the date of this court's order; (2) have no further incidents of failing to respond in a timely manner to the state bar; and (3) pay the cost of the disciplinary proceedings. Lipsman has not contested the recommendation.

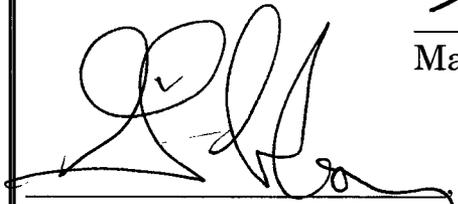
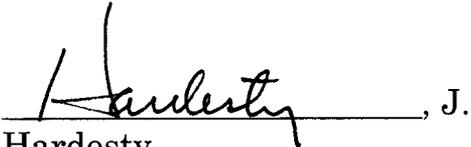
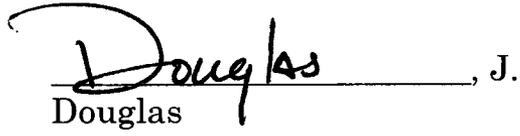
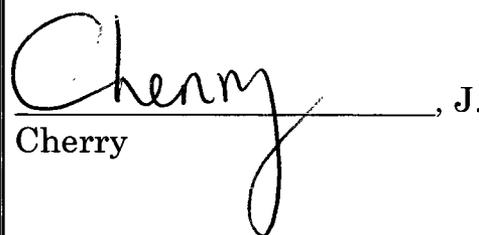
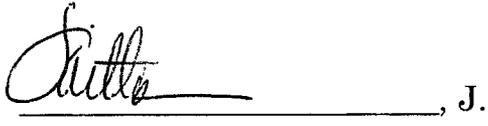
Having reviewed the record, we conclude that clear and convincing evidence supports the panel's findings² and that its recommendation should be approved. Specifically, the record reflects Lipsman's consistent failure to respond to the bar's requests for information in the three underlying grievance investigations. Indeed, Lipsman's non-responsiveness manifested itself in the disciplinary proceedings that led to the panel's recommendation in this matter, as Lipsman failed to timely communicate with the state bar leading up to the hearing, at which Lipsman failed to offer any explanation sufficient to mitigate the negative weight of his conduct.

Accordingly, the panel's recommendation is approved in full. Lipsman is suspended from the practice of law for a period of three months, to be stayed for two years subject to the conditions described above. Lipsman shall pay \$2,172.60, the costs of the disciplinary proceedings, not including staff salaries, within thirty days of this order's

²See SCR 105(2)(e).

date. If Lipsman fails to abide by any of the conditions, bar counsel may file a petition for immediate imposition of the three-month suspension.

It is so ORDERED.³

 _____ Gibbons	 _____, C.J. Maupin	 _____, J. Hardesty
 _____, J. Parraguirre	 _____, J. Douglas	
 _____, J. Cherry	 _____, J. Saitta	

cc: Howard Miller, Chair, Southern Nevada Disciplinary Board
Law Offices of Gary S. Lipsman
David A. Clark, Bar Counsel
Kimberly K. Farmer, Executive Director

³This is our final disposition of this matter. Any new proceedings concerning Lipsman shall be docketed under a new docket number.