

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
ALEX B. GHIBAUDO, ESQ., BAR NO.  
10592

No. 54164

**FILED**

AUG 07 2009

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

ORDER OF TEMPORARY SUSPENSION

This is a joint petition filed by the Southern Nevada Disciplinary Board Chair and Alex B. Ghibaud, Esq. for an order temporarily suspending attorney Ghibaud from the practice of law, pending the resolution of formal disciplinary proceedings against him. The petition and supporting documentation demonstrate that Ghibaud appears to have: (1) repeatedly abandoned clients; (2) not provided an accounting of funds received from clients despite requests from clients and the State Bar; (3) failed to respond to the office of Bar Counsel after repeated requests regarding multiple grievance files; and (4) made numerous unprofessional and demeaning telephone calls to two other attorneys.

SCR 102(4)(a) provides, in pertinent part:

On the petition of a disciplinary board, signed by its chair or vice chair, supported by an affidavit alleging facts personally known to the affiant, which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may order, with notice as the court may prescribe, the attorney's immediate temporary suspension or may impose other conditions upon the attorney's practice.

In addition, SCR 102(4)(b) provides that we may place restrictions on an attorney's handling of funds.

We conclude that the documentation before us demonstrates that Ghibauda poses a substantial threat of serious harm to the public, and that his immediate temporary suspension is warranted.<sup>1</sup> We further conclude that Ghibauda's handling of funds should be restricted.<sup>2</sup>

Accordingly, Ghibauda is temporarily suspended from the practice of law, pending the resolution of formal disciplinary proceedings against him.<sup>3</sup> In addition, Ghibauda is prohibited from withdrawing any funds from any and all accounts relating in any way to his law practice, including but not limited to his general and trust accounts, except upon written approval of bar counsel or by order of a court of competent jurisdiction.<sup>4</sup> The State Bar shall immediately serve Ghibauda with a copy of this order. Such service may be accomplished by personal service, certified mail, delivery to a person of suitable age at Ghibauda's law office or residence, or by publication. When served on either Ghibauda or a depository in which he maintains an account, this order shall constitute

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<sup>1</sup>See SCR 102(4)(a).


<sup>2</sup>See SCR 102(4)(b).

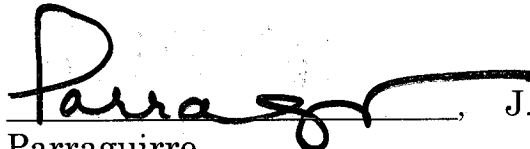
<sup>3</sup>Under SCR 102(4)(c), Ghibauda is immediately prohibited from accepting new clients and precluded from continuing to represent existing clients. Any fees or other funds received by Ghibauda from or on behalf of clients shall be deposited in a trust account, from which no withdrawals may be made except upon written approval of bar counsel or by order of a court of competent jurisdiction. Id.


<sup>4</sup>See SCR 102(4)(b).

an injunction against withdrawal of the proceeds except in accordance with the terms of this order.<sup>5</sup>

It is so ORDERED.<sup>6</sup>

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

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

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

cc: Bernard Zadrowski, Vice Chair, Southern Nevada Disciplinary  
Board  
Rob W. Bare, Bar Counsel  
Kimberly K. Farmer, Executive Director  
William B. Terry  
Alex B. Ghibauda  
Perry Thompson, Admission Office, U.S. Supreme Court

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<sup>5</sup>See id.

<sup>6</sup>Ghibauda shall comply with SCR 115.

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