

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
APPLICATION OF THE BOARD OF
CONTINUING LEGAL EDUCATION TO
CHANGE THE STATUS OF CERTAIN
MEMBERS OF THE STATE BAR OF
NEVADA FROM ACTIVE TO CLE
SUSPENDED UNDER SUPREME
COURT RULES 205-215 INCLUSIVE,
AND, AS TO CERTAIN INACTIVE,
SUSPENDED, DISABLED AND
DISBARRED MEMBERS, TO
CONDITION THEIR RIGHTS OF
REINSTATEMENT.

No. 54333

FILED

OCT 21 2009

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

ORDER DISMISSING PETITION AS TO CERTAIN RESPONDENT
ATTORNEYS AND GRANTING PETITION AS TO CERTAIN
RESPONDENT ATTORNEYS

On August 13, 2009, the Board of Continuing Legal Education (the Board) filed a petition with this court regarding the status of certain members of the State Bar of Nevada (respondent attorneys) who have failed to comply with various Supreme Court Rules governing continuing legal education. See SCR 205-215. Specifically, the Board petitioned this court to order those respondent attorneys who are presently active to show cause why their membership status should not be changed to CLE suspended and, from the date of such change of status, be barred from practicing law in the State of Nevada until reinstated under SCR 212(6) and 213. Further, as to the respondent attorney who is already inactive, to show cause why his right of reinstatement to active status should not be conditioned upon full compliance with SCR 213, in addition to any conditions of reinstatement already imposed upon him.

On September 2, 2009, this court entered an order directing the following active attorneys to show cause why this court should not grant the Board's petition to change their status from active to CLE suspended and to condition their right to be reinstated upon full compliance with SCR 213:

Liborius Agwara
Steven M. Altig
Michael J. Amador, Sr.
Kurt D. Anderson
Randolph I. Anderson, III
Anahi Arroyo
Fred H. Atcheson
Lynn Avants
Jeremy E. Beal
Martin W. Becker
R. Michael Blakley
Brent A. Blanchard
Douglas M. Borthwick
Jerome R. Bowen
John J. Brannelly, Jr.
Daniel M. Bunin
Joseph D. Bunin
Marek P. Bute
Matthew Q. Callister
Brent A. Carson
Travis Chandler
Douglas H. Clark
Thomas C. Cook
Russell L. Cooper
Gregory D. Corn
Jorge G. Corral
Demetrios A. Dalacas
William J. Daley
Randal A. DeShazer
Ramon L. Dy-Ragos
Maria U. Estanislao
Jared C. Fields
Sean P. Flanagan

Shannon L. Floyd
David A. Francis
Julie A. Funai
Timothy L. Gamber
Christopher F. Geiger, Jr.
Althea Gilkey
Ronald E. Gillette
David L. Goldfarb
Michael J. Gore
Michael I. Gowdey
Karen R. Griffith
David S. Grove
David R. Hall
Jeffrey E. Heath
William J. Heck
Emily J. Hicks
William C. Horne
Edward B. Hughes
Janeen V. Isaacson
Ledell S. Joiner
Hina K. Khan
Robert N. Kitay
Francis Kocka
Robert L. Langford
Randall R. Leonard
Gary S. Lipsman
Joseph A. Lopez, IV
Nancy T. Lord
Carl E. Lovell, III
Richard C. Lusiani
John R. Lusk
Brett J. Marshall
John L. Marshall
Michael J. McLaughlin
Ryan A. Mendenhal
Benjamin J. Miller
Wendy E. Miller
Mark A. Milstein
Manuel D. Montelongo
Kathleen S. Niggemyer
Larry B. Panek

John David L. Pearce
John H. Pilkington
Paul D. Powell
Clayton K. Rice, II
R. Spencer Robinson
Michael J. Roeser
James R. Rosenberger
Robert D. Rourke
Brian R. Schwechter
Timothy Sears
Scott L. Shapiro
Lynn R. Shoen
Steven F. Shulman
Tyttan M. Sirotock
Elizabeth A. Skane
Christopher T. Smith
Scott L. Smith
Amy W. Stengel
Lawrence I. Stern
Steven F. Stucker
Christian P. Stueben
Peter P. Vlautin, III
Taovaonga L. Vuki Lui
Stanley E. Wade
Susan N. Wasko
Diane C. Weil
Wesley S. White
Gregory L. Wilde

That order also directed the following inactive attorney to show cause why this court should not grant the Board's petition and condition his right to be reinstated to active status upon full compliance with SCR 213 in addition to any conditions of reinstatement already imposed or which may hereafter be imposed: Arthur G. Flangas.

That order also directed the following disbarred, disabled or suspended members of the State Bar to show cause why this court should not grant the Board's petition to condition their rights to be reinstated to

active status upon full compliance with SCR 213, in addition to any condition of reinstatement already imposed or which may hereafter be imposed:

Alex B. Ghibaud
T. Lincoln Peterson
James P. Sitter
Jennifer K. Wensink

On September 15, 2009, September 23, 2009, September 25, 2009, October 2, 2009, October 5, 2009, and October 7, 2009, and October 20, 2009, the Board filed documents entitled "Consent to Dismissal," informing this court that the following attorneys have satisfied the requirements set forth in SCR 205 through 215:

Liborius Agwara
Michael J. Amador, Sr.
Kurt D. Anderson
Lynn Avants
Jeremy E. Beal
Martin W. Becker
Brent A. Blanchard
John J. Brannelly, Jr.
Daniel M. Bunin
Joseph D. Bunin
Marek P. Bute
Matthew Q. Callister
Brent A. Carson
Thomas C. Cook
Gregory D. Corn
Demetrios A. Dalacas
Ramon L. Dy-Ragos
Maria U. Estanislao
Jared C. Fields
Arthur G. Flangas
Sean P. Flanagan
Shannon L. Floyd
David A. Francis

Julie A. Funai
Timothy L. Gamber
Christopher F. Geiger, Jr.
Ronald E. Gillette
David L. Goldfarb
Michael I. Gowdey
David R. Hall
William C. Horne
Hina K. Khan
Randall R. Leonard
Gary S. Lipsman
Joseph A. Lopez, IV
Nancy T. Lord
Carl E. Lovell, III
John R. Lusk
Brett J. Marshall
John L. Marshall
Larry B. Panek
John David L. Pearce
John H. Pilkington
Paul D. Powell
Clayton K. Rice, II
James R. Rosenberger
Robert D. Rourke
Scott L. Shapiro
Lynn R. Shoen
Diane C. Weil
Wesley S. White
Yi L. Zheng

Accordingly, we conclude that these respondent attorneys have completed the requirements for reinstatement under SCR 213, and we dismiss the Board's petition with prejudice as to each of them.

As to the remaining active attorneys who failed to respond to our show cause order entered September 2, 2009, we grant the Board's petition. Accordingly, the status of the following attorneys shall be changed to CLE suspended. Further, the following attorneys must comply

with SCR 115 within the time limits set forth in that rule¹ and their rights of reinstatement shall be conditioned upon full compliance with SCR 213:

Steven M. Altig
Randolph I. Anderson, III
Anahi Arroyo
R. Michael Blakley
Douglas M. Borthwick
Travis Chandler
Douglas H. Clark
Russell L. Cooper
Jorge G. Corral
William J. Daley
Randal A. DeShazer
Michael J. Gore
Karen R. Griffith
Jeffrey E. Heath
William J. Heck
Emily J. Hicks
Robert N. Kitay
Francis Kocka
Richard C. Lusiani
Ryan A. Mendenhal
Wendy E. Miller
Manuel D. Montelongo
Kathleen S. Niggemyer
R. Spencer Robinson
Michael J. Roeser
Brian R. Schwechter
Timothy Sears
Steven F. Shulman
Tyttan M. Sirotok
Christopher T. Smith
Scott L. Smith
Amy W. Stengel
Lawrence I. Stern

¹See SCR 212(5), as amended effective March 1, 2007.

Steven F. Stucker
Christian P. Stueben
Taovaonga L. Vuki Lui
Stanley E. Wade

Further, the following suspended, disabled, or disbarred attorneys have failed to respond to our show cause order entered September 2, 2009. Accordingly, we grant the Board's petition as to the following suspended, disabled, or disbarred attorneys. Their right to be reinstated to the active practice of law shall be conditioned upon full compliance with SCR 212(6) and 213, in addition to any conditions of reinstatement already imposed upon them:

Alex B. Ghibaud
T. Lincoln Peterson
James P. Sitter
Jennifer K. Wensink

Finally, on October 2, 2009, Althea Gilkey filed a response to this court's order of September 2, 2009. In the response, Gilkey concedes that she has not fulfilled the CLE requirements.² Accordingly, the status of Althea Gilkey shall be changed to CLE suspended. Further, Althea Gilkey must comply with SCR 115 within the time limits set forth in that

²In the response, Ms. Gilkey informs this court that she has not been able to pay her bar dues or complete her CLE requirements because she has suffered a stroke and is unable to work. It does not appear that Ms. Gilkey has sought to be placed on inactive status pursuant to SCR 98(4), nor has she sought an exemption from the CLE requirement pursuant to SCR 214(2).

rule³ and her right of reinstatement shall be conditioned upon full compliance with SCR 213.

It is so ORDERED.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Toni Sarocka, Executive Director, Board
of Continuing Legal Education
Bridget Robb Peck, Chair, Board of
Continuing Legal Education
Kimberly K. Farmer, Executive Director
State Bar of Nevada/Las Vegas
Rob Bare, Bar Counsel, State Bar of
Nevada/Las Vegas
Mary Jorgensen, Member Services Coordinator,
State Bar of Nevada/Las Vegas
All respondent attorneys

³See SCR 212(5), as amended effective March 1, 2007.