

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
EFREM A. ROSENFELD, BAR NO.
5110.

No. 69438

FILED

MAR 25 2016

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

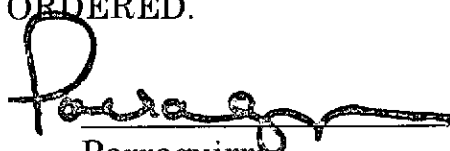
This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a conditional guilty plea agreement in exchange for a stated form of discipline for attorney Efrem A. Rosenfeld. Under the agreement, Rosenfeld admitted to over 200 violations of RPC 1.1 (competence), RPC 1.3 (diligence), RPC 1.4 (communication), RPC 1.5 (fees), RPC 1.8 (conflict of interest: current clients: specific rules), RPC 1.15 (safekeeping property), RPC 1.16 (declining or terminating representation), RPC 3.2 (expediting litigation), RPC 3.3 (candor toward the tribunal), RPC 3.4 (fairness to opposing party and counsel), RPC 5.1 (responsibility of partners, managers and supervisory lawyers), RPC 5.3 (responsibility for non-lawyer assistants), RPC 5.5 (unauthorized practice of law), RPC 8.1 (bar admission and disciplinary matters), and RPC 8.4 (misconduct).

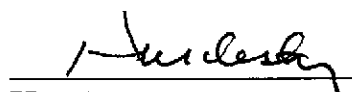
The agreement provides for a 5-year suspension beginning retroactively on October 30, 2013, and followed by a 2-year probationary period. The agreement also requires Rosenfeld to pay \$171,160.77 in restitution, which is a condition precedent to his submittal of an application for reinstatement. Additionally, the agreement requires that Rosenfeld pay the costs of the disciplinary proceedings, excluding bar counsel and staff salaries.

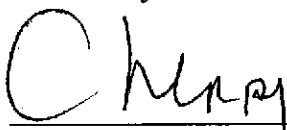
Based on our review of the record, we conclude that the guilty plea agreement should be approved. See SCR 113(1). Considering the duties violated and the aggravating and mitigating circumstances, we conclude that the 5-year suspension followed by a 2-year probationary period and the payment of restitution is sufficient to serve the purpose of attorney discipline. See *In re Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077-78 (2008) (setting forth factors to be considered); *State Bar of Nev. v. Claiborne*, 104 Nev. 115, 213, 756 P.2d 464, 527-28 (1988) (explaining purpose of attorney discipline).

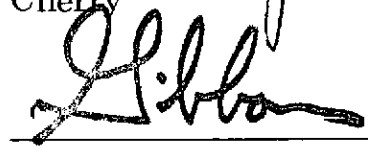
We hereby impose a 5-year suspension beginning retroactively on October 30, 2013, followed by a 2-year probationary period. Further, Rosenfeld shall pay \$171,160.77 in restitution as outlined in the plea agreement and his payment of such restitution is a condition precedent to his submittal of an application for reinstatement. Rosenfeld shall also pay the costs of the disciplinary proceedings, excluding bar counsel and staff salaries, within 90 days of receipt of the State Bar's bill of costs. See SCR 120.

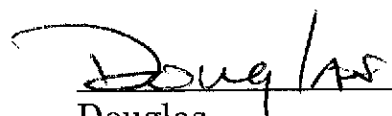
It is so ORDERED.


 C.J.
Parraguirre


 J.
Hardesty

 J.
Cherry

 J.
Gibbons

 J.
Douglas

 J.
Saitta

 J.
Pickering

cc: Chair, Southern Nevada Disciplinary Board
Landis Law Group
State Bar of Nevada/Las Vegas
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, Admissions Officer, United States Supreme Court