

FILED

JAN 10 2018

DISCIPLINARY
BOARD

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BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

ROY ELBERT HUHS JR,
Lawyer (Bar No. 6058).

Proceeding No. 18#00001

ODC File No. 14-01442

Resignation Form of Roy Elbert Huhs Jr
(ELC 9.3(b))

I, Roy Elbert Huhs, Jr., declare as follows:

1. I am over the age of eighteen years and am competent. I make the statements in this declaration from personal knowledge.
2. I was admitted to practice law in the State of Washington on March 20, 1975.
3. I have voluntarily decided to resign from the Washington State Bar Association (the Association) in Lieu of Discipline under Rule 9.3 of the Rules for Enforcement of Lawyer Conduct (ELC).
4. Attached hereto as Exhibit A is Disciplinary Counsel's statement of alleged misconduct for purposes of ELC 9.3(b). I am aware of the alleged misconduct stated in

Resignation Form of Roy Elbert Huhs Jr
(ELC 9.3(b))
Page 1

OFFICE OF DISCIPLINARY COUNSEL
OF THE WASHINGTON STATE BAR ASSOCIATION
1325 4th Avenue, Suite 600
Seattle, WA 98101-2539
(206) 727-8207

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1 disciplinary counsel's statement. The allegations of misconduct are based upon Findings of
2 Fact, Conclusions of Law, and Decisions made by Judge Halpert in King County Superior Court
3 Case No. 12-2-23972-0,. I disagree with a number of Judge Halpert's Findings of Fact,
4 Conclusions of Law, and Decisions. Rather than defend against the allegations of misconduct, I
5 wish to permanently resign from membership in the Association.

6 5. I consent to entry of an order under ELC 13.9(e) assessing expenses of \$1,500 in
7 this matter.

8 6. I agree to pay any additional costs or restitution that may be ordered by a Review
9 Committee under ELC 9.3(g).

10 7. I understand that my resignation is permanent and that any future application by
11 me for reinstatement as a member of the Association is currently barred. If the Supreme Court
12 changes this rule or an application is otherwise permitted in the future, it will be treated as an
13 application by one who has been disbarred for ethical misconduct, and that, if I file an
14 application, I will not be entitled to a reconsideration or reexamination of the facts, complaints,
15 allegations, or instances of alleged misconduct on which this resignation was based.

16 8. I agree to (a) notify all other states and jurisdictions in which I am admitted,
17 including California, of this resignation in lieu of discipline; (b) seek to resign permanently
18 from the practice of law in California; and (c) provide disciplinary counsel with copies of this
19 notification and any response(s). I acknowledge that this resignation could be treated as a
20 disbarment by all other jurisdictions.

21 9. I agree to (a) notify all other professional licensing agencies in any jurisdiction
22 from which I have a professional license that is predicated on my admission to practice law of

1 this resignation in lieu of discipline; (b) seek to resign permanently from any such license; and
2 (c) provide disciplinary counsel with copies of any of these notifications and any responses.

3 10. I agree that when applying for any employment, I will disclose the resignation in
4 lieu of discipline in response to any question regarding disciplinary action or the status of my
5 license to practice law.

6 11. I understand that my resignation becomes effective on disciplinary counsel's
7 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) disciplinary
8 counsel must do so promptly following receipt of this document.

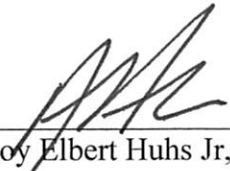
9 12. When my resignation becomes effective, I agree to be subject to all restrictions that
10 apply to a disbarred lawyer.

11 13. Upon filing of my resignation, I agree to comply with the same duties as a
12 disbarred lawyer under ELC 14.1 through ELC 14.4.

13 14. I understand that, after my resignation becomes effective, it is permanent. I will
14 never be eligible to apply and will not be considered for admission or reinstatement to the
15 practice of law nor will I be eligible for admission for any limited practice of law.


16 15. I certify under penalty of perjury under the laws of the State of Washington that
17 the foregoing is true and correct.

18 1-2-18, ISSAQUAH, WA.
Date and Place



Roy Elbert Huhs Jr, Bar No. 6058

20 ENDORSED BY:

21 

Debra Slater, Disciplinary Counsel
22 Bar No. 18346

EXHIBIT A

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BEFORE THE
DISCIPLINARY BOARD
OF THE
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In re

ROY ELBERT HUHS JR,

Lawyer (Bar No. 6058).

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STATEMENT OF ALLEGED
MISCONDUCT UNDER ELC 9.3(b)(1)

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The following constitutes a Statement of Alleged Misconduct under Rule 9.3(b)(1) of the Rules for Enforcement of Lawyer Conduct (ELC).

I. ADMISSION TO PRACTICE

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1. Respondent Roy Elbert Huhs Jr was admitted to the practice of law in the State of Washington on March 20, 1975.

II. ALLEGED FACTS

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2. Nickolay Belikov filed a lawsuit in King County Superior Court, Case No. 12-2-23972-0 that asserted claims of fraud, breach of fiduciary duty, and conversion against Respondent and his wife, Mary Ann Huhs.

1 3. A bench trial took place from May 13, 2014 to June 12, 2014. Judge Helen Halpert
2 presided, found in favor of Mr. Belikov, and awarded a judgment against the Huhs in the
3 amount of \$3,112,329 based on the following facts established at trial:

4 4. Respondent was the general counsel and secretary of R-Amtech, International, Inc.
5 (“R-Amtech”). R-Amtech patented and marketed Russian fire suppression equipment in the
6 United States and other countries. Belikov was the owner of R-Amtech.

7 5. Respondent acted as Belikov’s lawyer in several transactions and had a fiduciary
8 duty to Belikov.

9 6. Respondent breached his fiduciary duty to Belikov.

10 7. Respondent and his wife committed the tort of conversion by purposefully depriving
11 Mr. Belikov of his substantial investment in R-Amtech.

12 8. Respondent and his wife committed the tort of fraud by repeatedly and knowingly
13 making false and material statements to Belikov about the status of R-Amtech, with the intent
14 that Belikov would rely on them.

15 9. Respondent prepared numerous documents that resulted in a gift from Belikov to the
16 Huhs of a house in Suncadia, Cle Elum, Washington. The home was valued at \$1.5 million.

17 10. The court concluded that Respondent violated RPC 1.8(c) by preparing an
18 “instrument giving the lawyer or person related to the lawyer any substantial gift.”

19 11. The court rescinded the gift of the Suncadia home to Respondent and his wife.

20 **III. ALLEGED MISCONDUCT.**

21 12. By converting Belikov’s interest in R-Amtech, Respondent violated RPC 1.15A,
22 which provides that a lawyer must not convert client property for the lawyer’s own use.

23 13. By repeatedly and knowingly making false and material statements to Belikov about

1 the status of R-Amtech, thereby committing the tort of fraud, Respondent violated RPC 8.4(c).

2 14. By preparing documents that resulted in a gift to Respondent and his wife of the
3 house in Suncadia, Respondent violated RPC 1.8(c).

4
5 DATED this 10th day of January, 2017.

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7 _____
8 Debra Slater, Bar No. 18346
9 Disciplinary Counsel
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