

FILED

AUG 05 2013

DISCIPLINARY BOARD

BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

In re

**MARY TURGEON WYNNE,**

Lawyer (Bar No. 12441).

Proceeding No. 12#00014

REPRIMAND (2 of 2)

Under the Rules for Enforcement of Lawyer Conduct promulgated by the Supreme Court of the State of Washington, you have been directed to receive this FORMAL REPRIMAND.

You represented a client in a probate dispute involving Indian trust property. To resolve the dispute, the parties entered into a Settlement Agreement, which provided that your client would receive a 100% life interest in the trust property and the other party would receive 35% of the income generated by the trust property (trust income) over a five-year period. Payments to the other party were to be made quarterly from the trust income deposited into your client's Individual Indian Money (IIM) account.

Over the next four years, 100% of the trust income, including the 35% claimed by the other party, was transferred from your client's IIM account into your business account, which

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1 was not a trust account. The other party did not receive any payments from the trust income  
2 until it filed a federal lawsuit and obtained a judgment against your client.

3 On February 11, 2011, during post judgment proceedings, you moved to quash the other  
4 party's subpoena for bank records. In support of your motion, you represented to the court that  
5 the account where the trust income had been deposited was an Interest on Lawyers' Trust  
6 Account (IOLTA) account. You argued that producing records for this account would disclose  
7 information relating to other clients.

8 Your statements to the court were susceptible to more than one interpretation and caused  
9 the court to believe that your business account was an IOLTA account, which it was not. You  
10 had an IOLTA account at the same bank, but it was not the account used for the trust income.

11 Your conduct in making confusing statements to the court during the February 11, 2011  
12 hearing violated RPC 8.4(d).

13 These actions merit a Formal Reprimand. Your actions discredit you and the legal  
14 profession and show a disregard for the high traditions of honor expected from a member of the  
15 Association.

16 NOW, THEREFORE, YOU ARE HEREBY REPRIMANDED by the Washington State  
17 Bar Association for this misconduct. This Reprimand will be made a part of your permanent  
18 record with the Association, and will be considered along with other evidence regarding any  
19 future grievances against you.

20 Your privilege to practice law in the State of Washington is based on the finding that  
21 you are a person of good moral character, and on your commitment to abide by the rules  
22 governing the conduct of members of the Association. The Association expects all your future  
23 conduct as a lawyer to be consistent with that finding as to your character, and with a continuing  
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1 commitment on your part to the letter and spirit of those rules.

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3 Dated this 2nd day of August, 2013.

4 WASHINGTON STATE BAR ASSOCIATION

5  
6 Michele Radosevich  
Michele Radosevich, President

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10 CERTIFICATE OF SERVICE

11 I certify that I caused a copy of the Reprimand  
12 to be delivered to the Office of Disciplinary Counsel and to be mailed  
to Mary Moran, ~~Respondent/~~ Respondent's Counsel  
13 at 74774 SD HWY 44 WINNER SD 57580, by Certified/first class mail,  
postage prepaid on the 5th day of August, 2013

14 [Signature]  
Clerk/Counsel to the Disciplinary Board

# Memorandum

To: Allison Sato, Clerk to Disciplinary Board  
From: Marsha Matsumoto, Senior Disciplinary Counsel *MM*  
Date: August 5, 2013  
Re: Service of Reprimand on Mary Turgeon Wynne

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I am attaching two original reprimands for service on Mary Turgeon Wynne. I have filed the duplicate originals in the public file.

Thank you.