

May 03 2018

Disciplinary Board

Docket # 028

BEFORE THE DISCIPLINARY BOARD OF THE WASHINGTON STATE BAR ASSOCIATION

In re DOUGLAS ALLEN STRATEMEYER, Lawyer (WSBA No.21638)

Proceeding No. 17#00021 DISCIPLINARY BOARD ORDER DECLINING SUA SPONTE REVIEW AND ADOPTING HEARING OFFICER'S DECISION

This matter came before the Disciplinary Board for consideration of sua sponte review pursuant to ELC 11.3(a). On April 19, 2018, the Clerk distributed the attached decision to the Board.

IT IS HEREBY ORDERED THAT the Board declines sua sponte review and adopts the Hearing Officer's decision<sup>1</sup>.

Dated this 3rd day of May, 2018.

[Handwritten signature of Marc L. Silverman]

Marc L. Silverman Disciplinary Board Chair

I certify that I caused a copy of the DB Order Declining Sua Sponte Review by Adopting to be delivered to the Office of Disciplinary Counsel and to be mailed to Douglas Stratemeyer, Hearing Officer's Counsel at 2040 1st St NW, Seattle, WA 98102, by Certified/first class mail postage prepaid on the 3rd day of May, 2018.

[Handwritten signature] Clerk/Counsel to the Disciplinary Board

<sup>1</sup> The vote on this matter was 14-0. The following Board members voted: Silverman, Cornelius, Graber, Vovos, Patneau, Startzel, Byerly, Rawlings, Denton, Value, Allen, Louvier, Wang and Harrington.

**FILED**

MAR 07 2018

DISCIPLINARY  
BOARD

BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

In re

**DOUGLAS ALLEN STRATEMEYER,**

Lawyer (Bar No. 21638).

Proceeding No. 17#00021

FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND HEARING OFFICER'S  
RECOMMENDATION

The undersigned Hearing Officer held the hearing on March 5 and 7, 2018 under Rule 10.13 of the Rules for Enforcement of Lawyer Conduct (ELC). Respondent Douglas Allen Stratemeyer did not appear at the hearing. Disciplinary Counsel Sachia Stonefeld Powell appeared for the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association.

FORMAL COMPLAINT FILED BY DISCIPLINARY COUNSEL

The Formal Complaint filed by Disciplinary Counsel charged Mr. Stratemeyer with the following counts of misconduct:

Count I – By failing to act with reasonable diligence and promptness in representing Mr. Thornock, Respondent violated RPC 1.3.

MS

1 Count II - By failing to communicate with Mr. Thornock regarding his matter,  
2 Respondent violated RPC 1 .4.

3 Count III - By keeping the full \$1300 that Mr. Thornock paid but not completing the  
4 work he agreed to do, Respondent violated RPC 1.5(a) and/or RPC 1.16(d).

5 Count IV - By failing to cooperate with ODC's investigation of the grievance filed by  
6 Mr. Thornock, failing to appear as commanded in the investigative subpoena, and failing to  
7 provide the documents requested by the subpoena, Respondent violated ELC 1.5, ELC 5.3(f)  
8 and (g), ELC 5.5(d), and RPC 8.4(/).

9 Count V - By failing to act with reasonable diligence and promptness in representing  
10 Mr. Bookheimer, Respondent violated RPC 1.3.

11 Count VI - By failing to communicate with Mr. Bookheimer regarding his matter,  
12 Respondent violated RPC 1 .4.

13 Count VII - By keeping the full \$1500 that Mr. Bookheimer paid, but not completing the  
14 work he agreed to do, Respondent violated RPC 1.5(a) and/or RPC 1.16(d).

15 Count VIII - By failing to cooperate with ODC's investigation of the grievance filed by  
16 Mr. Bookheimer, failing to appear as commanded in the investigative subpoena, and failing to  
17 provide the documents requested by the subpoena, Respondent violated ELC 1.5, ELC 5.3(f)  
18 and (g), ELC 5.5(d), and RPC 8.4(/).

19 Based on the pleadings in the case, the testimony and exhibits at the hearing, the Hearing  
20 Officer makes the following:

21 FINDINGS OF FACT

22 1. Respondent Douglas Allen Stratemeyer was admitted to the practice of law in the  
23 State of Washington on June 11, 1992.

1           2.    Stephen Thornock had a juvenile conviction which required him to register under  
2 RCW 9A.44.130 et seq.

3           3.    Mr. Thornock also had an adult conviction for his failure to register.

4           4.    In early 2014, Mr. Thornock hired Respondent to vacate the adult conviction from  
5 his record.

6           5.    Mr. Thornock paid Respondent \$1300 for this service.

7           6.    Respondent informed Mr. Thornock that he could vacate the adult conviction and  
8 then have the court remove the registration requirement in the juvenile case.

9           7.    Respondent informed Mr. Thornock that, once the registration requirement was  
10 removed, Mr. Thornock could vacate and/or seal the juvenile conviction.

11          8.    Mr. Thornock hired Respondent to vacate the adult conviction and to remove the  
12 requirement in the juvenile case that he register as a sex offender.

13          9.    Mr. Thornock understood that he would have to pay an additional \$900 to have  
14 Respondent vacate the juvenile conviction and/or seal his juvenile record.

15          10. Mr. Thornock never paid the additional \$900 because the matter never progressed  
16 that far.

17          11. In October 2014, Mr. Thornock left voicemails for Respondent. Respondent did  
18 not return the calls.

19          12. In order for Respondent to take Mr. Thornock's call, Mr. Thornock would block  
20 his number (so that Respondent would not know that it was Mr. Thornock calling) and then call  
21 Respondent.

22          13. During the representation, Mr. Thornock and Respondent learned that Mr.  
23 Thornock had an outstanding legal financial obligation in the amount of \$7.43.

1 14. This outstanding financial obligation meant that Mr. Thornock was not eligible for  
2 a certificate of discharge, which was necessary to trigger the required waiting period before the  
3 adult conviction could be vacated.

4 15. Mr. Thornock and Respondent discussed investigating whether the outstanding  
5 financial obligation was included by error.

6 16. Mr. Thornock contacted the court clerk's office in an effort to determine the source  
7 of the outstanding financial obligation but did not receive sufficient information to determine  
8 the source.

9 17. Respondent contacted King County Deputy Prosecuting Attorney Laura Petregal to  
10 ascertain whether the outstanding financial obligation could be waived.

11 18. Respondent informed Mr. Thornock that Ms. Petregal agreed to waive the  
12 outstanding financial obligation because it was likely interest that had accrued erroneously,  
13 thereby making Mr. Thornock eligible for the certificate of discharge.

14 19. However, Respondent informed Mr. Thornock that Ms. Petregal was not willing to  
15 agree to vacate the conviction for failure to register given the nature of the underlying offense.  
16 Because the prosecutor's office was not willing to agree to vacate the conviction for failure to  
17 register, Respondent was required to file a motion to vacate with the court.

18 20. In approximately August 2015, Respondent drafted a motion to vacate the  
19 conviction.

20 21. Respondent sent a draft of the motion to Mr. Thornock for his review.

21 22. Mr. Thornock reviewed the motion and signed it, with the understanding that  
22 Respondent was going to file it.

23 23. Respondent never filed the motion.

1           24. In September and October 2015, Mr. Thornock made repeated inquiries to  
2 Respondent about the status of the motion. Each time, Respondent told him that he was waiting  
3 on the prosecutor or that he had a health challenge.

4           25. On October 28, 2015, Respondent informed Mr. Thornock that no hearing date had  
5 been set in the matter.

6           26. In November 2015, Respondent promised to get back to Mr. Thornock about the  
7 status of the motion and also notified him that he planned to cease the practice of law in 2016.

8           27. Respondent did not have any further communication with Mr. Thornock about his  
9 matter.

10          28. In November 2015, Mr. Thornock terminated Respondent's representation and  
11 filed a grievance against him.

12          29. In the grievance, Mr. Thornock requested a refund of unearned fees and the return  
13 of his client file so he could hire new counsel.

14          30. Mr. Thornock never received the requested refund or client file from Respondent.

15          31. During the representation, Mr. Thornock emailed Respondent 58 times.

16          32. Respondent replied to approximately 29 of Mr. Thornock's emails.

17          33. In January 2016, Respondent provided a response to the grievance in which he  
18 stated that Mr. Thornock's financial obligations precluded the possibility of vacating his  
19 conviction. He did not explain why he prepared the motion to vacate when he believed that  
20 remedy was not available to Mr. Thornock.

21          34. Because Respondent's response to the investigation was not clear, and because he  
22 had not returned Mr. Thornock's client file, on August 19, 2016, an ODC investigator emailed  
23 Respondent in an attempt to schedule a meeting with him.

1 35. Respondent did not respond.

2 36. On September 8, 2016, the ODC investigator sent a follow up email to  
3 Respondent, with a copy to his wife.

4 37. On September 13, 2016, the ODC investigator went to Respondent's residence  
5 and, when no one answered the door, left her business card.

6 38. On September 16, 2016, Respondent's wife emailed the ODC investigator to state  
7 that Respondent was out of town but would contact the ODC investigator when he returned.

8 39. On September 20, 2016, the ODC investigator emailed Respondent's wife to ask  
9 whether she could retrieve Mr. Thornock's client file.

10 40. Neither Respondent nor his wife responded to the ODC investigator's requests.

11 41. On October 3, 2016, ODC served Respondent with a subpoena duces tecum to  
12 appear on October 10, 2016, for an investigative deposition.

13 42. The subpoena also compelled him to bring with him his "complete file and  
14 whatever documents may be in your possession or control relating to your representation of  
15 Stephen P. Thornock."

16 43. When Respondent was served with the subpoena, he assaulted the process server,  
17 shoving him across the porch while yelling at him, ultimately tearing his shirt.

18 44. On October 10, 2016 Respondent knowingly did not appear for the deposition or  
19 provide the subpoenaed information.

20 45. Instead, on the date of the scheduled deposition Respondent sent disciplinary  
21 counsel a facsimile in which he stated that he was "arranging for the items you requested to be  
22 provided and sent to you."

23 46. To date, Respondent has not provided any of the items requested by the subpoena.  
24

1 47. In January 2015, Larry Bookheimer hired Respondent to vacate two criminal  
2 convictions.

3 48. Mr. Bookheimer paid Respondent \$1500 for the representation.

4 49. Between January and July 2015, Mr. Bookheimer contacted Respondent multiple  
5 times via email, text and/or voicemail.

6 50. Respondent did not respond to Mr. Bookheimer's inquiries.

7 51. In July 2015, Mr. Bookheimer emailed Respondent to obtain information about his  
8 matter because he had not heard anything from him.

9 52. In response, Respondent provided excuses for not working on Mr. Bookheimer's  
10 matter.

11 53. In July 2015, Respondent filed a motion to vacate in State v. Bookheimer,  
12 Thurston County Superior Court Cause Number 03-1-00951-6.

13 54. He did not note the motion for hearing.

14 55. Respondent did not tell Mr. Bookheimer that he had filed the motion until October  
15 28, 2015.

16 56. Between July and October 2015, Mr. Bookheimer and/or his wife contacted  
17 Respondent multiple times each month via email, text and/or voicemail.

18 57. Respondent did not respond.

19 58. In late October 2015, Respondent emailed Mr. Bookheimer to say that he would  
20 obtain a hearing date and send notice to the prosecutor.

21 59. Respondent did not obtain a hearing date and did not send notice to the prosecutor,  
22  
23  
24



1           60. Between October and December 2015, Mr. Bookheimer and/or his wife contacted  
2 Respondent multiple times each month via email, text and/or voicemail inquiring about the  
3 status of his matter.

4           61. Respondent did not respond.

5           62. In December 2015, when Mr. Bookheimer had not been notified of a date, he  
6 contacted the prosecutor's office and learned that Respondent had not contacted them.

7           63. On December 17, 2015, Mr. Bookheimer emailed Respondent about the status of  
8 his case.

9           64. Respondent did not respond.

10          65. In late January 2016, Mr. Bookheimer sent Respondent a certified letter in which  
11 he requested a refund.

12          66. In response, Respondent informed Mr. Bookheimer that he wanted to conclude the  
13 matter for him.

14          67. Mr. Bookheimer agreed to allow Respondent to continue the representation.

15          68. Between January and April 2016, Mr. Bookheimer and/or his wife contacted  
16 Respondent multiple times each month via email, text and/or voicemail inquiring about the  
17 status of his matter.

18          69. Respondent did not respond.

19          70. In April 2016, Respondent filed a motion for telephonic appearance and a  
20 proposed order.

21          71. Between April and June 2016, Bookheimer and/or his wife contacted Respondent  
22 multiple times each month via email, text and/or voicemail inquiring about the status of his  
23 matter.

1 72. Respondent did not respond.

2 73. In June 2016, Mr. Bookheimer sent Respondent another certified letter requesting  
3 a refund.

4 74. Respondent did not respond to the request.

5 75. In July 2016, Mr. Bookheimer filed a grievance against Respondent.

6 76. On July 29, 2016, the Office of Disciplinary Counsel (ODC) sent Respondent a  
7 copy of the grievance along with a Request for Lawyer Response, seeking his response within  
8 30 days.

9 77. Respondent did not respond.

10 78. On September 1, 2016, ODC sent Respondent a "10-day letter," notifying him that  
11 he had to respond by September 14, 2016, or he would be subpoenaed.

12 79. Respondent did not respond.

13 80. On October 3, 2016, ODC served Respondent with a subpoena duces tecum to  
14 appear on October 10, 2016, for an investigative deposition.

15 81. The subpoena also compelled him to bring with him his "complete file and  
16 whatever documents may be in your possession or control relating to your representation of  
17 Larry P. Bookheimer II."

18 82. As stated in paragraphs 41-43 above, when Respondent was served with the  
19 subpoena, he yelled at the process server, shoved him across the porch, and tore his shirt.

20 83. On October 10, 2016 Respondent knowingly did not appear for the deposition or  
21 provide the subpoenaed information.

1 84. Instead, later that morning disciplinary counsel received a facsimile from  
2 Respondent in which he stated that he was "arranging for the items you requested to be provided  
3 and sent to you."

4 85. To date, Respondent has not provided any of the items requested by the subpoena.

5 86. Respondent knowingly failed to perform services for his clients.

6 87. Respondent knowingly failed to communicate with his clients.

7 88. Respondent knowingly failed to return unearned fees to Mr. Thornock and Mr.  
8 Bookheimer.

9 89. Respondent engaged in a pattern of neglect.

10 90. Respondent acted knowingly when he failed to provide information requested by  
11 ODC.

12 91. Respondent's conduct caused actual harm by preventing ODC from fully  
13 investigating Mr. Thornock's and Mr. Bookheimer's grievances.

14 92. There is injury to the discipline system when lawyers do not participate in the  
15 grievance investigation.

16 93. Respondent's failure to cooperate with the grievance investigation also reflects  
17 poorly on the profession and diminishes public confidence in the legal system.

18 94. Respondent's conduct caused actual harm to Mr. Thornock. Mr. Thornock  
19 suffered consequences on his job as a result of the convictions, which were still on his record,  
20 lost the use of the \$1300 he paid Respondent, and had to pay another lawyer to complete the  
21 work he had hired Respondent to do.

22 95. Respondent's conduct caused actual harm to Mr. Bookheimer. Mr. Bookheimer  
23 was unable to obtain his desired employment due to the convictions, which were still on his  
24

1 record, lost the use of the \$1500 he paid Respondent, and had to pay another lawyer \$1500 to  
2 complete the work he had hired Respondent to do.

3 96. Mr. Thornock and Mr. Bookheimer were frustrated by Respondent's neglect of  
4 their matters and lack of communication, as well as his refusal to return their unearned fees.

5 97. Delay injures the interests of the clients and reflects poorly on the profession.

6 98. Respondent has substantial experience in the practice of law.

7 99. Respondent has refused to acknowledge wrongful nature of conduct.

8 100. Respondent has not received any prior discipline.

9 CONCLUSIONS OF LAW

10 Violations Analysis

11 The Hearing Officer finds that ODC proved the following by a clear preponderance of  
12 the evidence:

13 101. By failing to act with reasonable diligence and promptness in representing Mr.  
14 Thornock, Respondent violated RPC 1.3.

15 102. By failing to communicate with Mr. Thornock regarding his matter, Respondent  
16 violated RPC 1.4.

17 103. By keeping the full \$1300 that Mr. Thornock paid but not completing the work he  
18 agreed to do, Respondent violated RPC 1.5(a) and RPC 1.16(d).

19 104. By failing to cooperate with ODC's investigation of the grievance filed by Mr.  
20 Thornock, failing to appear as commanded in the investigative subpoena, and failing to provide  
21 the documents requested by the subpoena, Respondent violated ELC 1.5, ELC 5.3(f) and (g),  
22 ELC 5.5(d), and RPC 8.4(f).

23 105. By failing to act with reasonable diligence and promptness in representing Mr.  
24

1 Bookheimer, Respondent violated RPC 1.3.

2 106. By failing to communicate with Mr. Bookheimer regarding his matter, Respondent  
3 violated RPC 1.4.

4 107. By keeping the full \$1500 that Mr. Bookheimer paid, but not completing the work  
5 he agreed to do, Respondent violated RPC 1.5(a) and RPC 1.16(d).

6 108. By failing to cooperate with ODC's investigation of the grievance filed by Mr.  
7 Bookheimer, failing to appear as commanded in the investigative subpoena, and failing to  
8 provide the documents requested by the subpoena, Respondent violated ELC 1.5, ELC 5.3(f)  
9 and (g), ELC 5.5(d), and RPC 8.4(/).

10 Sanction Analysis

11 109. A presumptive sanction must be determined for each ethical violation. In re  
12 Anschell, 149 Wn.2d 484, 69 P.3d 844, 852 (2003). The following standards of the American  
13 Bar Association's Standards for Imposing Lawyer Sanctions ("ABA Standards") (1991 ed. &  
14 Feb. 1992 Supp.) are presumptively applicable in this case:

15 4.4 Lack of Diligence

16 4.41 Disbarment is generally appropriate when:

- 17 (a) a lawyer abandons the practice and causes serious or potentially  
18 serious injury to a client; or  
19 (b) a lawyer knowingly fails to perform services for a client and  
20 causes serious or potentially serious injury to a client; or  
21 (c) a lawyer engages in a pattern of neglect with respect to client  
22 matters and causes serious or potentially serious injury to a client.

19 4.42 Suspension is generally appropriate when:

- 20 (a) a lawyer knowingly fails to perform services for a client and  
21 causes injury or potential injury to a client, or  
22 (b) a lawyer engages in a pattern of neglect and causes injury or  
23 potential injury to a client.

22 4.43 Reprimand is generally appropriate when a lawyer is negligent and does  
23 not act with reasonable diligence in representing a client, and causes injury or  
24 potential injury to a client.

23 4.44 Admonition is generally appropriate when a lawyer is negligent and does  
24 not act with reasonable diligence in representing a client, and causes little or no

1 actual or potential injury to a client.

2 **7.0 Violations of Duties Owed as a Professional**

3 7.1 **Disbarment** is generally appropriate when a lawyer knowingly engages in  
4 conduct that is a violation of a duty owed as a professional with the intent to  
obtain a benefit for the lawyer or another, and causes serious or potentially serious  
injury to a client, the public, or the legal system.

5 7.2 **Suspension** is generally appropriate when a lawyer knowingly engages in  
conduct that is a violation of a duty owed as a professional and causes injury or  
potential injury to a client, the public, or the legal system.

6 7.3 **Reprimand** is generally appropriate when a lawyer negligently engages in  
conduct that is a violation of a duty owed as a professional and causes injury or  
potential injury to a client, the public, or the legal system.

7 7.4 **Admonition** is generally appropriate when a lawyer engages in an isolated  
8 instance of negligence that is a violation of a duty owed as a professional, and  
causes little or no actual or potential injury to a client, the public, or the legal  
9 system.

10 110. When multiple ethical violations are found, the "ultimate sanction imposed should  
11 at least be consistent with the sanction for the most serious instance of misconduct among a  
12 number of violations." In re Petersen, 120 Wn.2d 833, 854, 846 P.2d 1330 (1993).

13 111. Based on the Findings of Fact and Conclusions of Law and application of the ABA  
14 Standards, the appropriate presumptive sanction is a suspension.

15 112. "A period of six months is generally the accepted minimum term of suspension,"  
16 In re Cohen, 149 Wn.2d 323, 67 P.3d 1086, 1094 (2003).

17 113. The following aggravating factors set forth in Section 9.22 of the ABA Standards  
18 are applicable in this case:

- 19 (g) refusal to acknowledge wrongful nature of conduct; and  
20 (i) substantial experience in the practice of law [22 years].

21 114. The following mitigating factor set forth in Section 9.32 of the ABA Standards is  
22 applicable to this case:

- 23 (a) absence of a prior disciplinary record.

24 **Recommendation**

1 115. Based on the ABA Standards and the applicable aggravating and mitigating  
2 factors, the Hearing Officer recommends that Respondent Douglas Allen Stratemeyer be  
3 suspended for a period of one year.

4 116. The Hearing Officer further recommends that Respondent undergo a fitness to  
5 practice evaluation before his license to practice is reinstated.

6 117. Respondent shall be subject to probation for a period of 24 months beginning on  
7 the date Respondent is reinstated to the practice of law.

8 118. The conditions of probation are set forth below. Respondent's compliance with  
9 these conditions will be monitored by the Probation Administrator of the Office of Disciplinary  
10 Counsel ("Probation Administrator"). Failure to comply with a condition of probation listed  
11 herein may be grounds for further disciplinary action under ELC 13.8(b).

12 Practice Monitor

13 119. During the period of probation, Respondent's practice will be supervised by a  
14 practice monitor. The practice monitor must be a WSBA member with no record of public  
15 discipline and who is not the subject of a pending public disciplinary proceeding.

16 120. The role of the practice monitor is to consult with and provide guidance to  
17 Respondent regarding case management, office management, and avoiding violations of the  
18 Rules of Professional Conduct, and to provide reports and information to the Probation  
19 Administrator regarding Respondent's compliance with the terms of probation and the RPC.  
20 The practice monitor does not represent the Respondent.

21 121. At the beginning of the probation period, the Probation Administrator will select a  
22 lawyer to serve as practice monitor for the period of Respondent's probation.

23 a) Initial Challenge: If, within 15 days of the written notice of the selection of a  
24 practice monitor, Respondent sends a written request to the Probation Administrator

1 that another practice monitor be selected, the Probation Administrator will select  
2 another practice monitor. Respondent need not identify any basis for this initial  
3 request.

- 4 b) Subsequent Challenges: If, after selection of a second (or subsequent) practice  
5 monitor, Respondent believes there is good cause why that individual should not  
6 serve as practice monitor, Respondent may, within 15 days of notice of the selected  
7 practice monitor, send a written request to the Probation Administrator asking that  
8 another practice monitor be selected. That request must articulate good cause to  
9 support the request. If the Probation Administrator agrees, another practice monitor  
10 will be selected. If the Probation Administrator disagrees, the Office of  
11 Disciplinary Counsel will submit its proposed selection for practice monitor to the  
12 Chair of the Disciplinary Board for appointment pursuant to ELC 13.8(a)(2), and  
13 will also provide the Chair with the Respondent's written request that another  
14 practice monitor be selected.

15 122. In the event the practice monitor is no longer able to perform his or her duties, the  
16 Probation Administrator will select a new practice monitor at his or her discretion.

17 123. During the period of probation, Respondent must cooperate with the named  
18 practice monitor. Respondent must meet with the practice monitor at least once per month.  
19 Respondent must communicate with the practice monitor to schedule all required meetings.

20 124. The Respondent must bring to each meeting a current, complete written list of all  
21 pending client legal matters being handled by the Respondent. The list must identify the current  
22 status of each client matter and any problematic issues regarding each client matter. The list  
23 may identify clients by using the client's initials rather than the client's name.

24 125. At each meeting, the practice monitor will discuss with Respondent practice issues  
that have arisen or are anticipated. In light of the conduct giving rise to the imposition of  
probation, ODC recommends that the practice monitor and Respondent discuss whether  
Respondent is diligently making progress on each client matter, whether Respondent is in  
communication with each client, whether Respondent needs to consider withdrawing from any  
client matters and, if so, whether any refund is warranted. Meetings may be in person or by



1 telephone at the practice monitor's discretion. The practice monitor uses discretion in  
2 determining the length of each meeting.

3 126. The practice monitor will provide the Probation Administrator with quarterly  
4 written reports regarding Respondent's compliance with probation terms and the RPC. Each  
5 report must include the date of each meeting with Respondent, a brief synopsis of the discussion  
6 topics, and a brief description of any concerns the practice monitor has regarding the  
7 Respondent's compliance with the RPC. The report must be signed by the practice monitor.  
8 Each report is due within 30 days of the completion of the quarter.

9 127. If the practice monitor believes that Respondent is not complying with any of his  
10 ethical duties under the RPC or if Respondent fails to schedule or attend a monthly meeting, the  
11 practice monitor will promptly communicate that to the Probation Administrator.

12 128. Respondent must make payments totaling \$1,000 to the Washington State Bar  
13 Association to defray the costs and expenses of administering the probation, as follows:

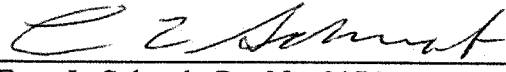
- 14 a) \$250 due within 30 days of the start of the probation;  
15 b) \$250 due within 6 months of the start of the probation period;  
16 c) \$250 due within 12 months of the start of the probation period; and  
17 d) \$250 due within 18 months of the start of the probation period.

18 All payments should be provided to the Probation Administrator for processing.

19 129. The Hearing Officer further recommends that Respondent pay restitution to Mr.  
20 Thornock in the amount of \$1300 plus interest accruing at a rate of 12% per anum beginning  
21 December 1, 2015, and that Respondent pay restitution to Mr. Bookheimer in the amount of  
22  
23  
24

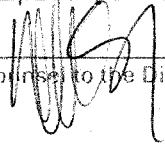
1 \$1500 plus interest accruing at a rate of 12% per anum beginning August 1, 2016. Full payment  
2 of restitution should be a condition of reinstatement to the practice of law.

3  
4 Dated this 7 day of March, 2018.

5  
6   
7 Evan L. Schwab, Bar No. 2174  
8 Hearing Officer

9  
10  
11  
12 CERTIFICATE OF SERVICE

13 I certify that I caused a copy of the FOF, COL & HO's recommendation in  
14 to be delivered to the Office of Disciplinary Counsel and to be mailed  
15 to Douglas Stotemeyer at Safe West Inc. 11111 Redmond, WA 98072 Certified/Registered Mail,  
16 postage prepaid on the 7th day of March, 2018.

17   
18 Clerk/Counsel to the Disciplinary Board