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DISCIPLINARY
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BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

DAVID J. KRULL,
Lawyer (Bar No. 22483).

Proceeding No. *18 #10005*

ODC File No. 17-00350

RESIGNATION FORM OF DAVID J.
KRULL (ELC 9.3(b))

I, David J. Krull, 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 May 24, 1993.
3. After consultation with my counsel, Peter Offenbecher, 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

DB

1 | Disciplinary Counsel's statement and, rather than defend against the allegations, I wish to
2 | permanently resign from membership in the Association.

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

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

11 | 7. I agree to (a) notify all other states and jurisdictions in which I am admitted of this
12 | resignation in lieu of discipline; (b) seek to resign permanently from the practice of law in such
13 | jurisdictions; and (c) provide disciplinary counsel with copies of this notification and any
14 | response(s). I acknowledge that this resignation could be treated as a disbarment by all other
15 | jurisdictions.

16 | 8. I agree to (a) notify all other professional licensing agencies in any jurisdiction
17 | from which I have a professional license that is predicated on my admission to practice law of
18 | this resignation in lieu of discipline; (b) seek to resign permanently from any such license; and
19 | (c) provide disciplinary counsel with copies of any of these notifications and any responses.

20 | 9. I agree that when applying for any employment, I will disclose the resignation in
21 | lieu of discipline in response to any question regarding disciplinary action or the status of my
22 | license to practice law.

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

4 11. When my resignation becomes effective, I agree to be subject to all restrictions that
5 apply to a disbarred lawyer.

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

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

11 14. I certify under penalty of perjury under the laws of the State of Washington that
12 the foregoing is true and correct.

13 Seattle, WA 2/1/2018
14 Date and Place


15 David J. Krull, Bar No. 22483

16 ENDORSED BY:



17 Scott G. Busby, Senior Disciplinary Counsel
18 Bar No. 17522

EXHIBIT A

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6 BEFORE THE
7 DISCIPLINARY BOARD
8 OF THE
9 WASHINGTON STATE BAR ASSOCIATION

10 In re

11 **DAVID J. KRULL,**

12 Lawyer (Bar No. 22483).

13 Proceeding No.

14 ODC File No. 17-00350

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

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

19 **I. ADMISSION TO PRACTICE**

20 1. Respondent David J. Krull was admitted to the practice of law in the State of
21 Washington on May 24, 1993.

22 **II. ALLEGED FACTS**

23 2. From March 2001 to June 2008, Respondent was employed by a business entity
24 (the Business) as General Counsel and Corporate Secretary.

3. In 2007, Respondent established a fictitious vendor to pay himself with funds
belonging to the Business for services not rendered.

1 4. Respondent did this for personal financial gain even though he knew it was
2 improper and unlawful.

3 5. As a result of this conduct, Respondent received \$95,500 to which he was not
4 entitled.

5 6. In May 2008, Respondent attempted to submit for payment an additional invoice in
6 the amount of \$17,500 to which he was not entitled.

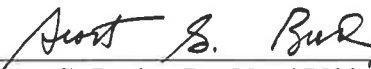
7 7. Respondent also created a fictitious personal injury claim in order to pay himself
8 with funds belonging to the Business to which he was not entitled.

9 8. As a result of this conduct, Respondent received \$65,500 to which he was not
10 entitled.

11 **III. ALLEGED MISCONDUCT.**

12 9. By engaging in the conduct set forth above, Respondent violated RPC 8.4(b)
13 (criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness), RPC
14 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and RPC 8.4(n)
15 (conduct demonstrating unfitness to practice law).

16
17 DATED this 11th day of January, 2018.

18
19 
20 Scott G. Busby, Bar No. 17522
21 Senior Disciplinary Counsel
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