

FILED

JAN 28 2013

BEFORE THE  
DISCIPLINARY BOARD  
OF THE  
WASHINGTON STATE BAR ASSOCIATION

DISCIPLINARY BOARD

In re

**DAVID R. FOX,**

Lawyer (WSBA No. 24317)

Proceeding No. 10#00096

DISCIPLINARY BOARD ORDER  
ADOPTING HEARING OFFICER'S  
DECISION

This matter came before the Disciplinary Board at its January 11, 2013 meeting, on automatic review of Hearing Officer Andrekita Silva's June 1, 2012 Findings Of Fact And Conclusions Of Law And Recommendation Of Hearing Officer and June 30, 2012 Order Correcting And Amending Findings Of Fact And Conclusions Of Law, recommending disbarment and restitution following a hearing.

The Board reviews the hearing officer's finding of fact for substantial evidence. The Board reviews conclusions of law and sanction recommendations de novo. Evidence not presented to the hearing officer or panel cannot be considered by the Board. ELC 11.12(b).

Having reviewed the materials submitted, and considered the applicable case law and rules;

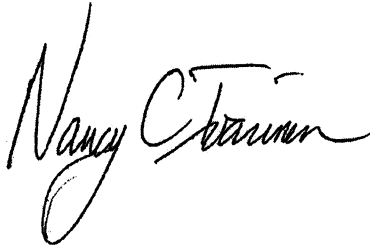
**IT IS HEREBY ORDERED THAT** the Hearing Officer's decision is adopted<sup>1</sup>

<sup>1</sup> The vote on this matter was 12-0. Those voting were: Broom, Butterworth, Carrington, Coy, Dremousis, Evans, Ivarinen, McInville, Mesher, Neiland, Ogura and Trippett. Board member Trippett noted that Initiative Measure No. 502, approved November 6, 2012, decriminalized adult personal use of marijuana under certain circumstances. The decision to disbar Respondent is appropriate even excluding his personal use of marijuana.

Board member Bray recused himself from participation in this matter. He was not present during and did not participate in the deliberations and vote.

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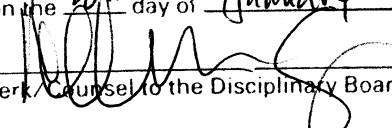
Dated this 28th day of January 2013.



Nancy Ivarinen  
Disciplinary Board Chair

CERTIFICATE OF SERVICE

I certify that I caused a copy of the RB Order Adopting HCL Decision  
to be delivered to the Office of Disciplinary Counsel and to be mailed  
to David Fox Respondent/Respondent's Counsel  
at 101 Whiskey Ave. P.O. Box 4126, WA 98126 by Certified/first class mail,  
postage prepaid on the 28th day of January, 2013

  
Clerk/Counsel to the Disciplinary Board