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BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re
CHARLES PHILIP MORTIMER,
Lawyer (Bar No. 30759).

ODC File No(s). 15-00814
Disciplinary NO. 10#00015
RESIGNATION FORM OF CHARLES
PHILIP MORTIMER (ELC 9.3(b))

I, Charles Philip Mortimer, being duly sworn, hereby attests to the following:

1. I am over the age of eighteen years and am competent. I make the statements in this affidavit from personal knowledge.
2. I was admitted to practice law in the State of Washington on November 27, 2000.
3. After consultation with my counsel, Anne I. Seidel, 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 disciplinary counsel's statement but, rather than defend against the allegations, I wish to permanently resign from membership in the Association.

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1 5. I am submitting with this affidavit a check in the amount of \$1,000 made out to the
2 Washington State Bar Association in payment for expenses and costs under ELC 9.3(f).

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

5 7. 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, and that, if I file an
9 application, I will not be entitled to a reconsideration or reexamination of the facts, complaints,
10 allegations, or instances of alleged misconduct on which this resignation was based.

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

16 9. 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 10. 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.

23 11. I understand that my resignation becomes effective on disciplinary counsel's

1 endorsement and filing of this document with the Clerk, and that under ELC 9.3(c) disciplinary
2 counsel must do so promptly following receipt of this document and payment of costs and
3 expenses.

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

6 13. 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.

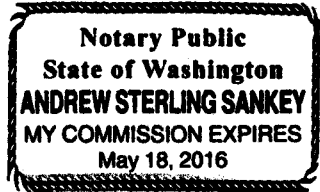
8 14. I understand that, after my resignation becomes effective, it is permanent. I will
9 never be eligible to apply and will not be considered for admission or reinstatement to the
10 practice of law nor will I be eligible for admission for any limited practice of law.

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

13 2/19/16, Seattle, WA
14 Date and Place

[Signature]
Charles Philip Mortimer, Bar No. 30759

15 SUBSCRIBED AND SWORN to before me this 19 day of Feb, 2016.



[Signature]
NOTARY PUBLIC for the state of
Washington, residing at Seattle WA
My commission expires: 05/18/2016

18 ENDORSED BY:

19 [Signature]
20 M Craig Bray, Disciplinary Counsel
21 Bar No. 20821

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

10 In re

11 **CHARLES PHILIP MORTIMER,**

12 Lawyer (Bar No. 30759).

ODC File No(s). 15-00814

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

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

15 **I. ADMISSION TO PRACTICE**

16 1. Respondent Charles Philip Mortimer was admitted to the practice of law in the
17 State of Washington on November 27, 2000.

18 **II. ALLEGED FACTS**

19 2. From 2000 until April 28, 2015, Respondent worked at the law firm of Levy • von
20 Beck & Associates (law firm), first as an associate, then as a shareholder beginning in 2010,
21 then as of counsel beginning in November 2012..

22 3. Respondent was paid a fixed salary, but could earn additional salary amounts if he
23 exceeded minimum annual billing hours.

1 4. From November 2012 through April 2015, Respondent engaged in a pattern of
2 informing clients and the law firm that he had performed specified work on the clients' cases,
3 including filing lawsuits, preparing discovery, drafting motions and obtaining a judgment, and
4 submitting billings for the alleged work when he knew he had not performed such work.

5 5. The law firm paid Respondent salaried funds and clients paid law firm billings
6 based on Respondent's false reports of work he had performed on behalf of the clients.

7 6. In one instance, Respondent billed a client over \$60,000 in fees for work he did not
8 in part perform.

9 7. In another instance, Respondent billed a client over \$40,000 in fees for work he did
10 not in part perform.

11 8. In a third instance, Respondent billed a client over \$11,000 in fees for work he did
12 not in part perform.

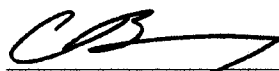
13 **III. ALLEGED MISCONDUCT.**

14 9. By advising his clients and the law firm that he had performed work on the clients'
15 matters when he had not, Respondent violated RPC 8.4(c) (engaging in dishonest conduct).

16 10. By not communicating the true status of his clients' matters or providing correct
17 information to clients to allow them to make informed decisions about their matters,
18 Respondent violated RPC 1.4 (communication with clients).

19 11. By billing fees for work he did not perform, Respondent violated RPC 1.5(a)
20 (charging unreasonable fees).

21 DATED this 22nd day of February, 2016.

22 

23 M Craig Bray, Bar No. 20821
Disciplinary Counsel

24 OFFICE OF DISCIPLINARY COUNSEL
OF THE WASHINGTON STATE BAR ASSOCIATION
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(206) 727-8207