

FILED

APR 01 2014

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION
DISCIPLINARY BOARD

In re

MATTHEW FRANKLIN PFEFER,

Lawyer (WSBA No.31166)

Proceeding No. 12#00051

DISCIPLINARY BOARD ORDER
AMENDING HEARING OFFICER'S
DECISION

This matter came before the Disciplinary Board at its March 21, 2014 meeting, on automatic review of Hearing Officer James Myron Danielson September 26, 2013 Findings Of Fact And Conclusions Of Law And Recommendation Of Hearing Officer entered following a hearing, recommending a six month suspension and payment of \$6,580.06 in restitution.

The Board reviews the hearing officer's findings 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 oral arguments and the applicable case law and rules,

IT IS HEREBY ORDERED THAT the Hearing Officer's decision is adopted¹ with the following amendments:

Finding of Fact 35 is amended to read: Respondent informed Ortiz of his withdrawal by leaving a message with Ms. Miller and mailing a copy of the Notice of

¹ The vote on this matter was 13-0. Those voting were: Berger, Bloomfield, Broom, Carrington, Coy, Davis, Dremousis, Egeler, Evans, Fischer, McInville, Meshner, and Neiland.

094

1 Withdrawal by certified mail. He also sent a letter explaining his reasons for withdrawing.

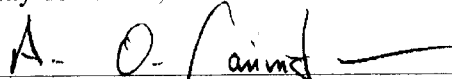
2 **The Restitution section is amended to read:**

3 **VII. RESTITUTION**

4 The Hearing Officer finds and concludes that Respondent should provide restitution
5 to Ortiz in the amount of \$5,834.15, the total amount of the uncommunicated settlement
6 offer less costs directly attributable to Ortiz's case.

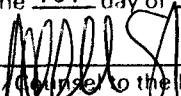
7 (The remaining provisions of the Restitution section are unchanged.)

8 Dated this 31st day of March, 2014.

9 
10 Andrew O. Carrington
11 Disciplinary Board Chair

12 **CERTIFICATE OF SERVICE**

13 I certify that I caused a copy of the DB Order Amending HOS Decision
14 to be delivered to the Office of Disciplinary Counsel and to be mailed
15 to Matthew Peden Respondent, Respondent's Counsel
16 at 417 E. 4th Ave #108 Spokane Valley, WA 99036 certified/first class mail,
17 postage prepaid on the 18 day of April, 2014


Clerk/Counsel to the Disciplinary Board