

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

METREY KEO,
Lawyer (Bar No. 35172).

Proceeding No.
ODC File No. 14-02037

RESIGNATION FORM OF METREY KEO
(ELC 9.3(b))

I, Metrey Keo, 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 June 24, 2004.

3. 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

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1 permanently resign from membership in the Association.

2 5. I am submitting with this affidavit a confession of judgment in the amount of
3 \$1,000 made out to the Washington State Bar Association as payment for expenses and costs.

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

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

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

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

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

1 11. 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 and payment of costs and
4 expenses.

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

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

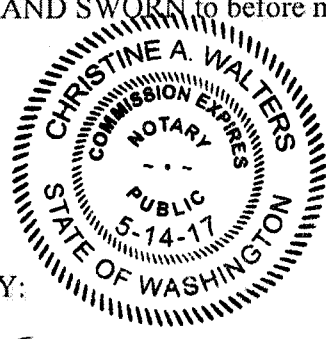
9 14. I understand that, after my resignation becomes effective, it is permanent. I will
10 never be eligible to apply and will not be considered for admission or reinstatement to the
11 practice of law nor will I be eligible for admission for any limited practice of law.

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

14 9/28/15
Date and Place

[Signature]
Metrey Keo, Bar No. 35172

15 SUBSCRIBED AND SWORN to before me this 28 day of September, 2015.



[Signature]
NOTARY PUBLIC for the state of
Washington, residing at [Signature]
My commission expires: 5/14/17

16 ENDORSED BY:
17 [Signature]
18 Joanne S. Abelson, Managing Disciplinary Counsel
19 Bar No. 24877
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STATEMENT OF ALLEGED
MISCONDUCT UNDER ELC 9.3(b)(1)

14 In accordance with Rule 9.3(b)(1) of the Rules for Enforcement of Lawyer Conduct
15 (ELC), the following constitutes Disciplinary Counsel's statement of the misconduct alleged in
16 pending matters.

17 **I. ADMISSION TO PRACTICE**

18 1. Respondent Metrey Keo was admitted to the practice of law in the State of
19 Washington on June 24, 2004.

20 **II. ALLEGED FACTS**

21 **Background**

22 2. From May 2011 until approximately November 2014, Respondent was employed
23 as a claims adjuster at the Marcotte law firm in Lowell, Massachusetts. The Marcotte firm

EXHIBIT

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1 handled personal injury cases.

2 3. Also from 2011 to 2014, Respondent was employed as a paralegal at Solomon and
3 Associates, in Lowell, Massachusetts. Respondent operated the firm's Lowell office and was its
4 only employee. Mr. Solomon worked out of his office in Fitchburg, Massachusetts.

5 4. Respondent is not licensed to practice law in Massachusetts.

6 5. As described below, in one or more cases, Respondent submitted false claims to
7 insurance companies regarding clients of the Marcotte and/or Solomon firm without the
8 knowledge of the clients or the law firms.

9 6. As described below, in one or more cases, Respondent collected settlement funds
10 based on false claims and retained those funds for himself.

11 7. An example of this conduct involves client MI.

12 8. MI was hit by a truck in May 2012. Her personal injury insurer covered her
13 medical bills, which totaled approximately \$680.

14 9. MI came to the Marcotte firm.

15 10. Respondent told MI that her claims did not meet the \$2,000 tort threshold required
16 for personal injury cases in Massachusetts.

17 11. At that point MI believed that her case was over.

18 12. In May 2014, on behalf of Solomon and Associates and purportedly representing
19 MI, Respondent sent a demand letter to CCMSI, the company that insured the truck that hit MI.

20 13. The demand letter included fabricated medical records.

21 14. In July 2014, CCMSI agreed to settle the claim for \$6005.

22 15. A release was sent to CCMSI so that it would issue the settlement funds. The
23 release was purportedly signed by MI and was notarized by Respondent.

1 16. MI did not sign the release.

2 17. CCMSI sent a settlement check to Solomon and Associates using Respondent's
3 personal address.

4 18. The check was deposited into an account.

5 19. MI was not aware her case was "settled" and did not receive any of the funds.

6 20. In or before October 2014, Respondent learned that the Marcotte firm was
7 investigating what happened in the MI case.

8 21. In October 2014, Respondent or someone acting at his behest sent a letter to
9 CCMSI on behalf of Solomon and Associates stating that a mistake had been made with respect
10 to the MI claim and that the settlement funds would be refunded.

11 22. In October 2014, a letter allegedly was signed by Mr. Solomon stating that the
12 fraudulent conduct regarding MI was committed by a Matthew Jaik, not Respondent.

13 23. Mr. Solomon denies writing or signing this letter. He does not know a Matthew
14 Jaik.

15 24. Matthew Jaik is a pseudonym of Respondent.

16 **III. ALLEGED MISCONDUCT.**

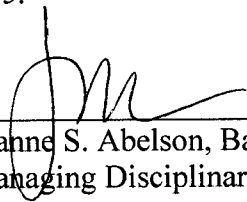
17 25. By submitting a demand for payment to an insurance company in one or more
18 cases based on fabricated medical records and without the client's knowledge or consent,
19 Respondent violated RPC 8.4(c).

20 26. By collecting settlement funds based on false claims in one or more cases and
21 retaining those funds for himself, Respondent violated RPC 8.4(c).

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1 DATED this 24 day of September, 2015.

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3 Joanne S. Abelson, Bar No. 24877
4 Managing Disciplinary Counsel

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