


BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

Notice of Reprimand

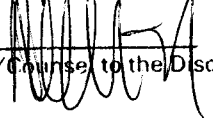
Lawyer Matthew Phillip VanZeipel, WSBA No. 45768, has been ordered Reprimanded by the following attached documents: Order Approving Stipulation to Reprimand and Stipulation to Reprimand.

WASHINGTON STATE BAR ASSOCIATION


Kevin Bank
Counsel to the Disciplinary Board

CERTIFICATE OF SERVICE

I certify that I caused a copy of the Notice of Reprimand to be delivered to the Office of Disciplinary Counsel and to be mailed to the respondent's counsel at 111 Pike St. #1900 Seattle WA 98101 by Certified/first class mail, postage prepaid on the 4th day of November, 2015


Clerk/Counsel to the Disciplinary Board

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FILED
SEP 15 2015
DISCIPLINARY
BOARD

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BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re

Matthew Phillip VanZeipel,

Lawyer (Bar No. 45768).

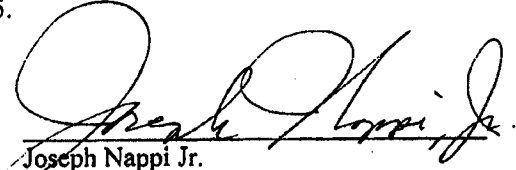
Proceeding No. 15#00071

ORDER ON STIPULATION TO
REPRIMAND

This matter came before the Chief Hearing Officer by agreement of the parties. On review of the Stipulation to Reprimand, and the documents on file in this matter,

IT IS ORDERED that the Stipulation to Reprimand is approved.

Dated this 15th day of September, 2015.


Joseph Nappi Jr.
Chief Hearing Officer

CERTIFICATE OF SERVICE

I certify that I caused a copy of the Order on Stipulation to Reprimand to be delivered to the Office of Disciplinary Counsel and to be mailed to Joel Wright & Rosemary Wodke Respondent/Respondent's Counsel at 721 Pike St #1000 Seattle WA 98101 by Certified/first class mail, postage prepaid on the 15th day of September, 2015

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FILED
SEP 15 2015
DISCIPLINARY
BOARD

BEFORE THE
DISCIPLINARY BOARD
OF THE
WASHINGTON STATE BAR ASSOCIATION

In re
MATTHEW PHILLIP VANZEIPEL,
Lawyer (Bar No. 45768).

Proceeding No. 15#00071
STIPULATION TO REPRIMAND

Under Rule 9.1 of the Rules for Enforcement of Lawyer Conduct (ELC), the following Stipulation to reprimand, is entered into by the Office of Disciplinary Counsel (ODC) of the Washington State Bar Association (Association) through disciplinary counsel Erica Temple, Respondent's Counsel Joel Wright and Rosemary Moore, and Respondent lawyer Matthew Phillip VanZeipel.

Respondent understands that he is entitled under the ELC to a hearing, to present exhibits and witnesses on his behalf, and to have a hearing officer determine the facts, misconduct and sanction in this case. Respondent further understands that he is entitled under the ELC to appeal the outcome of a hearing to the Disciplinary Board, and, in certain cases, the Supreme Court. Respondent further understands that a hearing and appeal could result in an outcome more favorable or less favorable to him. Respondent chooses to resolve this

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1 proceeding now by entering into the following stipulation to facts, misconduct and sanction to
2 avoid the risk, time, and expense attendant to further proceedings.

3 **I. ADMISSION TO PRACTICE**

4 1. Respondent was admitted to practice law in the State of Washington on January 28,
5 2013.

6 **II. STIPULATED FACTS**

7 2. In the fall of 2013, Respondent began working as a sole practitioner using the name
8 Othello Law Group (OLG).

9 3. In 2013, Respondent contracted with a California business, Secure Settlement, for
10 them to provide services to OLG involving solicitation, logistics and administration of home
11 mortgage modifications.

12 4. Respondent made it clear to Secure Settlement at the outset that they should not
13 solicit clients outside Washington.

14 5. Respondent and Secure Settlement sent flyers to neighborhoods where people's
15 homes were being foreclosed, and Respondent believed the letters were sent only within
16 Washington State.

17 6. O.S. lives near Portland, Oregon. In early 2014, he found himself struggling to pay
18 his mortgage. He received a mailer from a company offering mortgage assistance services.

19 7. O.S. contacted Secure Settlement and ultimately hired OLG to perform work related
20 to his mortgage modification.

21 8. Respondent is not licensed to practice law in Oregon.

22 9. O.S. made three \$1,000 payments into the OLG bank account by direct deposit in
23 February, March and April 2014.

1 (1991 ed. & Feb. 1992 Supp.) apply to this case:

2 4.53 Reprimand is generally appropriate when a lawyer:

3 ...
4 (b) is negligent in determining whether he or she is competent to handle a
5 legal matter and causes injury or potential injury to a client.

6 7.3 Reprimand is generally appropriate when a lawyer negligently engages in
7 conduct that is a violation of a duty owed as a professional and causes injury or
8 potential injury to a client, the public, or the legal system.

9 19. Respondent acted negligently in determining whether he was competent to represent
10 O.S. in his home foreclosure, and negligently in ensuring that Secure Settlement's actions were
11 compatible with his own professional obligations.

12 20. O.S. suffered injury because Respondent did not attend his mediation as expected.

13 21. The presumptive sanction is reprimand.

14 22. There are no aggravating factors that apply under ABA Standard 9.22.

15 23. The following mitigating factors apply under ABA Standard 9.32:

- 16 (a) absence of a prior disciplinary record;
17 (e) full and free disclosure to disciplinary board or cooperative attitude toward
18 proceedings;
19 (f) inexperience in the practice of law [Respondent was admitted to practice in
20 2013]; and,
21 (l) remorse.

22 24. It is an additional mitigating factor that Respondent has agreed to resolve this matter
23 at an early stage of the proceedings.

24 25. On balance the aggravating and mitigating factors do not require a departure from
the presumptive sanction.

VI. STIPULATED DISCIPLINE

26. The parties stipulate that Respondent shall receive a reprimand for his conduct.

27. Respondent will be subject to probation for a period of one year beginning when

1 expenditure of additional resources by the Respondent and ODC. Both the Respondent lawyer
2 and ODC acknowledge that the result after further proceedings in this matter might differ from
3 the result agreed to herein.

4 33. This Stipulation is not binding upon ODC or the respondent as a statement of all
5 existing facts relating to the professional conduct of the respondent lawyer, and any additional
6 existing facts may be proven in any subsequent disciplinary proceedings.

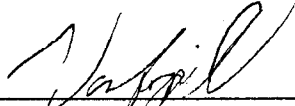
7 34. This Stipulation results from the consideration of various factors by both parties,
8 including the benefits to both by promptly resolving this matter without the time and expense of
9 hearings, Disciplinary Board appeals, and Supreme Court appeals or petitions for review. As
10 such, approval of this Stipulation will not constitute precedent in determining the appropriate
11 sanction to be imposed in other cases; but, if approved, this Stipulation will be admissible in
12 subsequent proceedings against Respondent to the same extent as any other approved
13 Stipulation.

14 35. Under ELC 3.1(b), all documents that form the record before the Hearing Officer
15 for his or her review become public information on approval of the Stipulation by the Hearing
16 Officer, unless disclosure is restricted by order or rule of law.

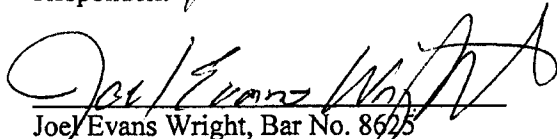
17 36. If this Stipulation is approved by the Hearing Officer, it will be followed by the
18 disciplinary action agreed to in this Stipulation. All notices required in the Rules for
19 Enforcement of Lawyer Conduct will be made.

20 37. If this Stipulation is not approved by the Hearing Officer, this Stipulation will have
21 no force or effect, and neither it nor the fact of its execution will be admissible as evidence in
22 the pending disciplinary proceeding, in any subsequent disciplinary proceeding, or in any civil
23 or criminal action.


1 WHEREFORE the undersigned being fully advised, adopt and agree to this Stipulation
2 to Discipline as set forth above.

3 
4 Matthew Phillip VanZeipel, Bar No. 45768
5 Respondent

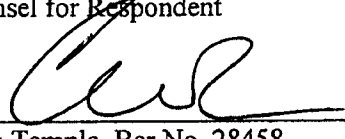
Dated: 8/17/15

6 
7 Joel Evans Wright, Bar No. 8625
8 Counsel for Respondent

Dated: 8/21/15

9 
10 Rosemary J. Moore, Bar No. 28650
11 Counsel for Respondent

Dated: 8/21/15

12 
13 Erica Temple, Bar No. 28458
14 Disciplinary Counsel

Dated: 8/28/15