

## THE WILLIAM J. LEDOUX AWARD

### Massachusetts Clients' Security Board LeDoux Award Winners

**Peter H. Sutton (1998)**  
Boston, MA

**Nathan H. Proctor (1999)**  
and  
**Charles F. Proctor (1999)**  
Oxford, MA

**Thomas G. Hoffman (2000)**  
Boston, MA

**Douglas Salvesen (2002)**  
Boston, MA

**Jerry Cohen (2003)**  
Boston, MA

**Laura Hancock Barry (2004)**  
Worcester, MA

**Hang Nina Nguyen (2005)**  
and  
**Hung T. Tran (2005)**  
Dorchester, MA

**Russell S. Channen (2010)**  
Haverhill, MA

and  
**S. Peter Ziomek, Jr. (2010)**  
Amherst, MA

**W**ILLIAM J. LEDOUX served as a member of the Massachusetts Clients' Security Board from 1987 to 1997. He was Board

Chairman for seven of those years. In 1997, the Clients' Security Board established the William J. LeDoux award to honor his service to the Board. The award is presented to a claimant's counsel who demonstrates extraordinary pro bono effort in representing a claimant before the Board. It is not a yearly award. Before Mr.

LeDoux passed away in April 1999 at the age of 67, he was able to attend

the presentation of the first award in his name to Peter H. Sutton of Riemer & Braunstein.

Mr. LeDoux was born in Brooklyn, New York in 1931. He graduated from Boston University and Boston University School of Law, where he was editor of its law review. He was a partner for 21 years at the Worcester firm of Bowditch & Dewey. He then went into private practice opening his own firm, Christopher & LeDoux. In 1966, he became a solo practitioner in Worcester. He was a fellow and life member of the Massachusetts and Worcester County Bar Foundations and served on the Fee Arbitration Committee of the Worcester County Bar Association. He was a member of the Board of Directors of the Providence & Worcester Railroad.

Mr. LeDoux enlisted in the army in 1948 and served as a paratrooper in the Korean War in 1950 and 1951. In October 1951, he received a battlefield commission as a second lieutenant. While he was in the Massachusetts Army National Guard, he commanded the 1st Battalion 181st Infantry in Worcester. He retired as a lieutenant colonel from the National Guard in 1975. He was a chartered member of the 187th Airborne Regimental Combat Team Association and served the Korean War Memorial of Central Massachusetts Association.

Mr. LeDoux was married to the former Elma L. Giancaterino and had three sons and a daughter.



WILLIAM J. LEDOUX, ESQ. PHOTO COURTESY MARY MELIKIAN, MELIKIAN PORTRAIT STUDIO, WORCESTER, MASSACHUSETTS

**I**  
**PETER H. SUTTON (1998)**



**M**r. Sutton represented a father and son, individually and as trustees of two trusts. Over the course of twenty years, Richard H. Jensen (deceased, 1995) represented the father, a building contractor, in various legal matters and during that time misappropriated approximately \$1.5 million. When Mr. Sutton sought reimbursement from the Board for his clients, he was informed of a claimant's duty to reasonably exhaust available civil remedies before the Board would respond to the claim. Mr. Sutton vigorously pursued Mr. Jensen's professional liability insurer who finally settled for a substantial sum leaving claimants with an unreimbursed loss of \$900,000. Following a hearing, the Board found a defalcation of \$385,000, but taking into account claimants' considerable wealth and their failure to demand an accounting from Mr. Jensen over the years, made an award to claimants of \$154,000. In 2000, Mr. Sutton was appointed to the Board

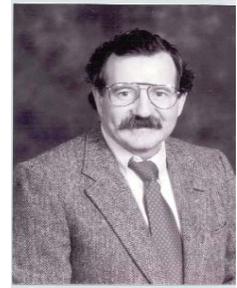
where he served with distinction for five years. <http://www.riemerlaw.com>.

**II**  
**NATHAN H. PROCTOR AND CHARLES F. PROCTOR (1999)**



**NATHAN H. PROCTOR**

**T**his father and son team represented the executrix of an estate whose six beneficiaries (sons of the decedent) were feuding. One son, represented by James Lock, filed a petition for the probate of his father's will providing that the bulk of the estate be left to him with only small bequests for his five brothers. The five, represented by common counsel, objected to the will. The Court appointed Mr. Lock and counsel for the five brothers to serve as co-executors, without bond. After the passage of a year and before abandoning his practice, Mr. Lock prepared an accounting showing extensive disbursements on behalf of the estate but



**CHARLES F. PROCTOR**

failing to account for \$15,078.90. The six brothers eventually resolved their differences and agreed to equal 1/6 shares of the residue of the estate. The Board found that Mr. Lock misappropriated \$15,078.90 and made an award to the estate in that amount.

**III**  
**THOMAS G. HOFFMAN (2000)**



**D**isbarred lawyer Winston Jay Bridge and Mr. Hoffman's client served as co-executors of the estate of the father of Mr. Hoffman's client. Mr. Bridge gathered more than \$250,000 in estate assets and deposited the sum into the estate's bank account. When Mr. Hoffman's client asked for an accounting from Mr. Bridge, she was told that the funds had been withdrawn from the account and invested in a real estate development. The truth was that Mr. Bridge and converted the entire sum for his own benefit. When confronted, Mr. Bridge resigned as co-executor and gave decedent's daughter a promissory note. Mr. Hoffman sued Mr. Bridge and recovered \$140,000 before appearing before the Board to recover the balance. The Board found a defalcation of \$142,217 and made an award to Mr. Hoffman's client in that amount. <http://www.shulaw.com/>

IV  
DOUGLAS W. SALVESEN (2002)



Mr. Salvesen is the first LeDoux Award winner to represent two different clients before the Board on the very same day with respect to the misconduct of the very same lawyer, Winston Jay Bridge. Client A retained Mr. Bridge to probate her late husband's estate and to assist in the management of Client A's financial affairs. Instead, Mr. Bridge misappropriated \$40,331 from her. Client B retained Mr. Bridge to represent the estate of his son who was killed in an accident. Mr. Bridge was to hold the settlement proceeds in his client trust account pending investment. Instead, he used more than \$80,000 for his personal benefit. Mr. Salvesen filed separate suits on behalf of both clients against Mr. Bridge, obtained judgments and executions but was unable to collect. He took the claims to the Board which found defalcations of \$40,331.62 and \$84,000 and made awards in those amounts to his respective clients. <http://www.bizlit.com>

V  
JERRY COHEN (2003)



Sometimes, the really hard work begins after the Board has made an award. During 2000 the Board heard the claim of a mother (appearing *pro se*) and her 13-year-old son who was the sole beneficiary of his deceased father's \$250,000 life insurance policy. The mother entrusted the funds to Bernard Akram who disbursed some of the funds for the son's benefit but then misappropriated the rest. When the Board made an award of \$200,000 it asked the mother, already betrayed by a lawyer, whether she would like some assistance in managing and investing the funds. When she said "yes," the Board recruited Mr. Cohen to venture where no one had gone before. Using a blend of diplomacy, shrewdness, warmth and compassion, he met regularly with mother and son and together they agreed on an investment plan, quarterly distributions, and one-time payments for special needs. Mr. Cohen served in this role for more than three years, staying in frequent contact while respecting family relationships and the son's expanding ability to make sound decisions. <http://www.burnslev.com>

VI  
LAURA HANCOCK BARRY (2004)



Following the death of their mother, a brother and sister in their twenties fell under the control of Joseph B. Shanahan who had drafted their mother's will naming him as executor of her estate. The siblings began to worry when they noticed bills going unpaid and rental income going uncollected. Their worries were confirmed when they learned of Mr. Shanahan's indictment for bankruptcy fraud. They consulted Ms. Barry whose investigation revealed that Mr. Shanahan had plundered the estate. She had her clients named co-administrators of the estate, filed suit against Mr. Shanahan, and diligently re-created his defalcation. In its Order for Judgment, the Superior Court described her work as an "extremely thorough and competent job of accounting for and documenting the Estate's claim." Because Mr. Shanahan had no assets, Ms. Barry guided her clients to the Board where she earned for them an award of \$107,935.16. The Board noted that her mastery of the facts ranked with the best the Board had ever seen.

**VII**  
**HANG NINA NGUYEN AND HUNG TRAN (2005)**



**HANG NINA NGUYEN**

The September 2002 death of attorney Thai Ngoc Nguyen sent waves of confusion and unrest through the Vietnamese community in greater Boston. He was a prominent figure in that community where one's word was one's bond and written contracts were deemed unnecessary. Within weeks it became clear that substantial sums of client funds were missing. Responding to the Board's plea for help, in January 2003 Ms. Nguyen and Mr. Tran together with other Vietnamese lawyers and community leaders met with the Board's staff at the



**HUNG T. TRAN**

Vietnamese American Community Center in Dorchester. Before holding a community meeting for the affected clients, Ms. Nguyen and Mr. Tran spearheaded the translation into Vietnamese of the Board's application form and advertised the planned meeting in the local Vietnamese community newspaper. At the May meeting for clients, Mr. Tran translated as the Board's staff conducted a PowerPoint presentation about the role and mission of the Board. As a result of Ms. Nguyen's and Mr. Tran's efforts and their patient education of the Board in the relevant aspects of Vietnamese culture and customs, the Board made 47 awards totaling \$1.2 million between December 2003 and May 2005. Ms. Nguyen translated at many of the hearings before the Board and represented one claimant whose funds were misappropriated in a complicated real estate transaction. Mr. Tran served as a vital liaison between a *pro se* claimant and the Board at a hearing.

**VIII**  
**RUSSELL S. CHANNEN (2010)**



Following the death of his uncle in an auto collision in 2006, the deceased's nephew became executor of the estate and engaged Stephen J. Mason (now deceased) to assist him in probating the estate and to file a wrongful death suit. Mr. Mason settled the wrongful death action, received more than \$100,000.00 and misappropriated it. The nephew then retained Mr. Channen as successor counsel to set matters right. Mr. Channen first located and then pursued Mr. Mason's real estate assets in two states. When the title searches revealed valid encumbrances that exceeded the market values of the respective properties, Mr. Channen filed claims against Mr. Mason's estate only to learn that the two encumbered pieces of real estate were the only assets of the estate. Undeterred, Mr. Channen then filed a claim against Mr. Mason's personal catastrophic liability policy but could not work around the policy's specific exclusion for losses related to providing or failing to provide professional services. As a last resort, Mr. Channen presented his client's claim to the Board that resulted in a \$90,000.00 award to his client. <http://www.pgclawoffice.com/>

**VIII**  
**S. PETER ZIOMEK, Jr. (2010)**



**A**fter a brother and sister (ages 11 and 14) tragically lost their parents in 1999, Nancy Sardeson (now disbarred) was appointed as guardian of their property consisting of seven multi-unit rental properties and more than \$80,000 in cash. During the next four years, Ms. Sardeson misappropriated substantial sums from the children the exact amount of which could not readily be determined because of her poor or non-existent records. Through the guardian of their persons, the children engaged Mr. Ziomek who first had Ms. Sardeson removed as guardian, then sued the issuer of her guardian's surety bond and recovered \$90,000, the full amount of the bond. Using his considerable accounting skills, Mr. Ziomek then reconstructed other records to demonstrate to the Board that Ms. Sardeson misappropriated not less than an additional \$42,000. Based on that showing, the Board awarded each of his clients \$21,000.