

**NO. BD- 2011-063****S.J.C. Order of Indefinite Suspension entered by Justice Duffly on July 11, 2011, with an effective date of August 10, 2011.¹****SUMMARY²**

In a stipulation filed with the Board of Bar Overseers, the respondent admitted that bar counsel could prove the following by a preponderance of the evidence. From 1985 to 2003, the respondent engaged in illegal gambling by placing bets with a bookmaker. In return, the respondent provided legal services to the bookmaker and his family.

In early January 2001, the respondent borrowed \$30,000 from the bookmaker. As part of his repayment of this debt, between January 2001 and January 2002, the respondent permitted the bookmaker to operate an illegal gambling operation from the basement of the respondent's home. For approximately three weeks during this period, the respondent assisted in the gambling operation by answering the telephone installed in his basement.

The respondent's conduct in engaging in illegal activity with his client and in assisting his client in illegal activity violated Mass. R. Prof. C. 1.2 (d) and 8.4 (b) and (h).

In a second matter, the respondent was friends with an owner of an out-of-state electric company who suggested that the respondent could earn money to repay the bookmaker by helping the friend receive cash over \$10,000 without triggering a report from the friend's bank pursuant to 31 C.F.R. §103.22(b)(1). The respondent and the friend devised a scheme whereby the friend wrote checks to an entity created by the respondent called "Suffolk Lighting," which the respondent then deposited to a "Suffolk Lighting" bank account. The friend agreed to pay the respondent 10% of the cash withdrawn.

On some occasions, the respondent intentionally made a series of cash withdrawals under \$10,000 to avoid triggering a bank report and turned the cash to the friend. This "structuring" violated 26 U.S.C. §6050I. On other occasions, he wrote checks to an account established by his friend. Between 2001 and 2004, the respondent delivered \$700,000 to \$800,000 in cash to the friend. By assisting his friend in avoiding reporting requirements and by structuring withdrawals of cash to avoid reporting requirements, the respondent violated Mass. R. Prof. C. 8.4(b), (c) and (h).

¹ The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

On June 13, 2011, the stipulation as to facts and rule violations came before the Board of Bar Overseers with a recommendation for an indefinite suspension. The board voted to accept the stipulation and joint recommendation.

An Information was filed with the Supreme Judicial Court for Suffolk County on June 27, 2011. On July 11, 2011, the Supreme Judicial Court for Suffolk County (Duffly, J.) entered an order suspending the respondent from the practice of law for an indefinite period effective 30 days after the date of the order.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.