

**IN RE: BRIAN JOSEPH SULLIVAN****NO. BD-2012-030****S.J.C. Order of Term Suspension entered by Justice Cordy on April 25, 2012, with an effective date of May 25, 2012.¹**

(S.J.C. Judgment of Reinstatement entered by Justice Cordy on August 27, 2012.)

SUMMARY²

On April 12, 2012, the respondent, Brian J. Sullivan, was suspended from the practice of law in the Commonwealth of Massachusetts for a period of three (3) months. The respondent's misconduct is described below.

In November of 2008, the respondent filed with the Bankruptcy Court for the District of Massachusetts a Chapter 7 petition for his personal bankruptcy together with Schedules of Assets and Liabilities. In connection with this filing, he signed a declaration attesting to the truthfulness of these Schedules under the penalties of perjury.

On Schedule B-Personal Property of the respondent's petition for bankruptcy, he identified the following assets (among others): (i) a checking account with a current value of \$300.00; and (ii) an automobile worth \$9,500.00. As to any "furs and jewelry," the respondent checked the column captioned "NONE." In so doing, the respondent knowingly misrepresented his assets to the Bankruptcy Court by omitting his Rolex watch and by undervaluing his bank account by approximately \$1,000 and his automobile by at least \$6,000.

By filing a petition for bankruptcy in which he knowingly misrepresented his assets, the respondent violated Mass. R. Prof. C. 3.3(a)(1), and 8.4(c) and (d).

On March 9, 2012, the parties submitted a stipulation to the Board of Bar Overseers in which the respondent stipulated to the above facts and conclusions of law. The parties recommended that the respondent be suspended from the practice of law for three (3) months.

On April 9, 2012, the Board of Bar Overseers voted to accept the stipulation of the parties and their proposed sanction.

On April 25, 2012, the Supreme Judicial Court for Suffolk County (Cordy, J.) ordered that the respondent be suspended from the practice of law for three (3) months, effective thirty days after entry.

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

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