IN RE: MICHAEL F. GERMANO

NO. BD-2013-006

S.J.C. Judgment of Disbarment entered by Justice Gants on February 4, 2013.[1]

SUMMARY[2]

On December 7, 2012, Michael F. Germano, the respondent, submitted an affidavit of resignation pursuant to Supreme Judicial Court Rule 4:01, § 15. In the affidavit, the respondent acknowledged that sufficient evidence existed to warrant findings that the material facts summarized below could be proved by a preponderance of the evidence.

In his capacity as an attorney representing plaintiffs in personal injury cases, the respondent intentionally misappropriated at least $100,000 in client settlement funds. At the time he submitted his affidavit of resignation, the respondent did not have sufficient funds in his IOLTA account to pay off all obligations to clients and creditors on the cases he handled.

The respondent agreed that these facts justified the conclusion that his conduct violated Mass. R. Prof. C. 1.15(b) and (c) and Mass. R. Prof. C. 8.4(c) and (h).

On January 14, 2013, the board voted to recommend that the affidavit of resignation be accepted and that a judgment of disbarment be entered effective on the date of entry. On February 4, 2013, the Supreme Judicial Court for Suffolk County accepted the resignation and entered a judgment of disbarment effective on the date of entry.

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

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