

**IN RE: PAUL J. PEZZA****NO. BD-2013-116****S.J.C. Order of Term Suspension entered by Justice Cordy on December 11, 2013, with an effective date of January 10, 2014.¹****SUMMARY²**

The respondent, Paul J. Pezza, Esq. has been a member of the Bar of the Commonwealth since December 20, 1994.

The respondent was acquainted with a man (GL) who had attended law school with him in the 1990s, but who had not graduated. GL had sued the law school for violation of the Americans with Disabilities Act (ADA), and in 2001 settled the suit through a confidential settlement agreement. In 2008, GL filed a lawsuit in the Suffolk Superior Court alleging that the law school and its dean had violated the confidential settlement agreement in the ADA case.

In July 2011, GL filed two new actions in Middlesex Superior Court. In the first Middlesex case, he sought a restraining order against the dean and the law school's defense counsel in the Suffolk case, alleging that they were stalking and harassing him. In the second Middlesex case, he sued the dean, the defense counsel and the law school, seeking monetary damages and to enjoin the defendants from various actions, including making certain arguments before the court in the Suffolk case.

In support of GL's requests for injunctive relief, he asked the respondent to submit an affidavit. The respondent signed an affidavit, knowing that GL intended to file the affidavit in court in connection with one or both of the Middlesex lawsuits. GL filed the affidavit

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.

signed by the respondent in both Middlesex actions. Ultimately, the court dismissed the actions, one *sua sponte*, and the other on defendants' motion.

In his affidavit, the respondent attested under the pains and penalties of perjury, *inter alia*, that he had investigated the dean by interviewing former law students and current attorneys who were African American and/or of Caribbean descent and that those persons had described the dean (who is African American) as "unprofessional, sophomoric, and silly." The respondent also attested that "[the dean] was given a free house to live in [a named county], which is paid for by the law school and taxpayer dollars".

The respondent made the statements set forth above knowing that the statements were false and/or deceptive and misleading, or with reckless disregard for the truth or falsity of the statements.

By engaging in conduct involving dishonesty, fraud, deceit or misrepresentation, the respondent violated Mass. R. Prof. C. 8.4(c).

By engaging in conduct prejudicial to the administration of justice, the respondent violated Mass. R. Prof. C. 8.4(d).

This matter came before the Board of Bar Overseers on a stipulation of facts and disciplinary violations and an agreed recommendation for discipline by suspension for one year and one day, with a requirement that the respondent attend a class on legal ethics. On November 25, 2013, the Board voted to accept the parties' stipulation and impose the agreed suspension. On December 11, 2013, the Supreme Judicial Court for Suffolk County entered an order suspending the respondent for one year and one day, with the recommended course requirement, effective thirty days from the date of the order.