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Law Society of Alberta

Edmonton Office
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www.lawsocietyalberta.com

HEARINGS SCHEDULED TO MAY 16, 2007

(Updated on: December 18, 2006)

*Please note: Hearing dates are accurate as of the date noted above and are subject to change.
Please contact the Law Society Communications Department to confirm.*

Law Society Counsel:

Ms Janet L. Dixon, Q.C.

The Law Society of Alberta
Scotia Place Tower 2
201, 10060 Jasper Avenue
Edmonton, Alberta T5J 3R8
Telephone: (780) 429-3343

Ms Elizabeth Soper

The Law Society of Alberta
500, 919 – 11th Avenue, S.W.
Calgary, Alberta T2R 1P3
Telephone: (403) 229-4700

Mr. Garner Groome

The Law Society of Alberta
500, 919 – 11th Avenue, S.W.
Calgary, Alberta T2R 1P3
Telephone: (403) 229-4700

Mr. Michael J. Penny

The Law Society of Alberta
Scotia Place Tower 2
201, 10060 Jasper Avenue
Edmonton, Alberta T5J 3R8
Telephone: (780) 429-3343
(Effective: January 8, 2007)

Mr. James K. Conley

The Burns Building
210, 237 – 8th Avenue, S.E.
Calgary, Alberta T2G 5C3
Telephone: (403) 290-0994

Ms Lois J. MacLean

de Villars Jones
300 Noble Building
8540 – 109th Street
Edmonton, Alberta T6G 1E6
Telephone: (780) 433-9000

Mr. Lindsay MacDonald, Q.C.

Bankers Hall West Tower
888 - 3rd Street SW, Suite 1000
Calgary, AB T2P 5C5
Telephone: (403) 803 2139

Hearing Locations:

<p>The Law Society of Alberta ATCO Tower II 500, 919 – 11th Avenue, S.W. Calgary, Alberta T2R 1P3 Telephone: (403) 229-4700</p>	<p>The Law Society of Alberta Scotia Place Tower 2 201, 10060 Jasper Avenue Edmonton, Alberta T5J 3R8 Telephone: (780) 429-3343</p>
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1. B. Gareth Palfy – Calgary

Represented by: W.E. Brett Code
Code Hunter LLP
850 440 2 Avenue SW
Calgary AB T2P 5E9
Telephone: (403) 234-9800

Law Society counsel: Garner Groome

Time and Place: The Law Society of Alberta – Calgary
**January 8, 9, 10, 2007 –
Commencing at 9:30am each day**

Citations:

1. It is alleged that you engaged in an activity that is incompatible with the best interest of the profession and justice system, and that such conduct is conduct deserving of sanction.
2. It is alleged that you engaged in personal and professional conduct that brings discredit to the profession, and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to uphold the law in your personal conduct, and that such conduct is conduct deserving of sanction.
4. It is alleged that you failed to cooperate with the Law Society of Alberta, and that such conduct is conduct deserving of sanction.

2. Robert Christensen – Edmonton

Represented by: Philip G. Lister, Q.C.
Philip G. Lister Professional Corporation
2410 Oxford Tower
10235 101 Street
Edmonton AB T5J 3G1
Telephone: (780) 422-6114

Law Society Counsel: Janet Dixon, Q.C.

Time and Place: The Law Society of Alberta – Edmonton
**January 10, 2007 –
Commencing at 9:30 a.m.**



Citations:

1. It is alleged that you failed to respond on a timely basis to communications from another member which contemplated a response, and that such conduct is conduct deserving of sanction.
2. It is alleged that you proceeded to file Praecipes to Note in Default without notice to opposing counsel, and that such conduct is conduct deserving of sanction.

3. Matthew Merchant – Calgary

Represented by: Graham Price, Q.C.
Graham Price Professional Corporation
210 1010 8 Avenue SW
Calgary AB T2P 1J2
Telephone: (403) 262-8616

Law Society Counsel: Garner Groome

Time and Place: The Law Society of Alberta – Calgary
January 15, 16, 17, 18, 19, 2007
Commencing at 9:30 a.m.

Citations:

1. It is alleged that you applied for *ex parte* garnishee orders when you knew the Complainant had been retained to act on behalf of B.F. and J.H., and that such conduct is conduct deserving of sanction.
2. It is alleged that in applying for *ex parte* garnishee orders, you misled the Court and failed to disclose all of the material facts, and that such conduct is conduct deserving of sanction.
3. It is alleged that in applying for *ex parte* garnishee orders, you lied in your affidavit, and that such conduct is conduct deserving of sanction.
4. It is alleged that in applying for *ex parte* garnishee orders, you expressed a personal opinion or belief as to the facts in evidence, and that such conduct is conduct deserving of sanction.
5. It is alleged that you failed to respond to the Complainant on a timely basis, and that such conduct is conduct deserving of sanction.
6. It is alleged that you threatened B.F. and J.H., and that such conduct is conduct deserving of sanction.



7. It is alleged that you failed to comply with the direction of the Court to file a transcript of the March 9, 2005 proceedings before it, and that such conduct is conduct deserving of sanction.
8. It is alleged that you failed to render your Statement of Account and trust accounting to your clients B.F. and J.H. on a timely basis, and that such conduct is conduct deserving of sanction.
9. It is alleged that you improperly charged J.H. for disbursements or other charges that were not for the benefit of J.H., and that such conduct is conduct deserving of sanction.
10. It is alleged that you misled or attempted to mislead the Court when you swore in your affidavit that the fact of criminal wrongdoing had arisen in your discussion with an employee of C... and which is denied by the said employee, and that such conduct is conduct deserving of sanction.
11. It is alleged that you lied to B.F. and J.H. that the loan agency was threatening them with criminal charges, and that such conduct is conduct deserving of sanction.
12. It is alleged that you threatened criminal proceedings to induce B.F. and J.H. to pay money that were paid to them by mistake, and that such conduct is conduct deserving of sanction.
13. It is alleged that you failed to respect and uphold the law, and that such conduct is conduct deserving of sanction.
14. It is alleged that you acted in a way that might weaken public respect for the law or justice system, and that such conduct is conduct deserving of sanction.
15. It is alleged that you failed to be courteous and candid with others, and that such conduct is conduct deserving of sanction.
16. It is alleged that you used your position to take unfair advantage of your clients, and that such conduct is conduct deserving of sanction.
17. It is alleged that you failed to provide competent service to your clients, and that such conduct is conduct deserving of sanction.
18. It is alleged that you engaged in conduct such as to bring discredit to the profession, and that such conduct is conduct deserving of sanction.



19. It is alleged that you authored correspondence or made remarks that were unfair, inaccurate and discourteous, and that such conduct is conduct deserving of sanction.
20. It is alleged that you acted when in a conflict or potential conflict with your clients, and that such conduct is conduct deserving of sanction.
21. It is alleged that you acted when your objectivity was impaired such that you were unable to properly and competently carry out your representation of your clients, and that such conduct is conduct deserving of sanction.
22. It is alleged that you gave advice to your clients when the independence of your professional advice was impaired, and that such conduct is conduct deserving of sanction.
23. It is alleged that you rendered advice when incompetent, and that such conduct is conduct deserving of sanction.
24. It is alleged that you failed to obtain instructions from your client for matters falling outside his express or implied authority, and that such conduct is conduct deserving of sanction.
25. It is alleged that you failed to be punctual in commitments made to your clients, and that such conduct is conduct deserving of sanction.
26. It is alleged that you failed to keep your clients informed, and that such conduct is conduct deserving of sanction.
27. It is alleged that you failed to inform your clients of an Offer of Settlement, and that such conduct is conduct deserving of sanction.
28. It is alleged that you failed to recommend the Offer of Settlement, and that such conduct is conduct deserving of sanction.
29. It is alleged that you failed to advise your clients of a material error or omission in connection with your representation, and that such conduct is conduct deserving of sanction.
30. It is alleged that you had an obligation to notify and you failed to notify other parties of steps you intended to take in the action, and that such conduct is conduct deserving of sanction.



31. It is alleged that you communicated with the Court without opposing counsel present or without giving prior reasonable notice to opposing counsel, and that such conduct is conduct deserving of sanction.
32. It is alleged that you continued to act where it was likely that you would be giving contested evidence, and that such conduct is conduct deserving of sanction.
33. It is alleged that your dealings with the Court were discourteous and disrespectful, and that such conduct is conduct deserving of sanction.

4. Richard Renz - Edmonton

Represented by: Self Represented

Law Society Counsel: Lois MacLean

Place and Time: Law Society of Alberta – Edmonton
**January 15, 2007 –
Commencing at 9:30 a.m.**

Citations:

1. It is alleged that you failed to serve the Complainant in a conscientious, diligent and efficient manner, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to respond on a timely basis to communications from the Complainant, and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to keep the Complainant informed as to the progress of the Complainant's matter, and that such conduct is conduct deserving of sanction.
4. It is alleged that you failed to be punctual in fulfilling commitments made to another lawyer, and that such conduct is conduct deserving of sanction.
5. It is alleged that you failed to respond on a timely basis to communications from another lawyer that contemplated a reply, and that such conduct is conduct deserving of sanction.
6. It is alleged that you failed to be cooperative with successor counsel in transferring the Complainant's file on a timely basis, and that such conduct is conduct deserving of sanction.

5. Dennis McGechie – Edmonton

Represented by: Mr. William Tatarchuk, Q.C.
Tatarchuk Olson
10147 – 115th Street
Edmonton, Alberta T5K 1T3
Telephone: (780) 482-7373



Law Society Counsel: Janet Dixon, Q.C.

Place and Time: Law Society of Alberta – Edmonton
**January 18 & 19, 2007 –
commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you failed to follow accounting rules, and that such conduct is conduct deserving of sanction.
2. It is alleged that you breached an undertaking given by you to the Law Society of Alberta, and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to account for the funds received from the Complainant in a timely fashion, and thereby breached Chapter 9, Rule 13 of the *Code of Professional Conduct* and rule 125(6) of the Rules of the Law Society of Alberta, and that such conduct is conduct deserving of sanction.
4. It is alleged that you misappropriated trust funds in the amount of approximately \$15,367.39, and that such conduct is conduct deserving of sanction.
5. It is alleged that you wrongfully converted trust funds in the amount of approximately \$718.46, and that such conduct is conduct deserving of sanction.
6. It is alleged that you breached a Court Order in the handling of certain trust funds, and that such conduct is conduct deserving of sanction.
7. It is alleged that you failed to serve your clients, and that such conduct is conduct deserving of sanction.
8. It is alleged that you stole GST funds, and that such conduct is conduct deserving of sanction.
9. It is alleged that you failed to serve your client in a competent manner, and that such conduct is conduct deserving of sanction.
10. It is alleged that you failed to respond to your client in a timely manner, including failure to respond to requests to send your file to another lawyer, failing to account to your client, and failing to render an account on a timely basis, and that such conduct is conduct deserving of sanction.
11. It is alleged that you failed to respond in a timely and appropriate manner to communication from the Law Society, and that such conduct is conduct deserving of sanction.



6. Bonnie Wald - Edmonton

Represented by: Dennis Groh, Q.C.
204 9636 51 Avenue
Edmonton AB T6E 6A5
Telephone: (780) 430-3721

Law Society Counsel: Lindsay MacDonald, Q.C.

Place and Time: Law Society of Alberta – Edmonton
**January 22 through 26, 2007 –
Commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you acted while in a conflict of interest in connection with the sale of land by M.W. to W.W., and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to advise M.W. to obtain independent legal advice, and failed in your duty to an unrepresented party, and that such conduct is conduct deserving of sanction.
3. It is alleged that you breached your duty of care to M.W. while representing both M.W. and W.W., and that such conduct is conduct deserving of sanction.
4. It is alleged that you failed to remit to M.W. funds to which M.W. was entitled, and that such conduct is conduct deserving of sanction.
5. It is alleged that you mislead the Court at a hearing when M.L. was applying for the trusteeship of M.W.'s estate, and that such conduct is conduct deserving of sanction.
6. It is alleged that you failed to properly represent your client in a conscientious and competent manner, to conduct the due diligence which would be requisite to this transaction by failing to conduct the title search and failing to insist that M.W. obtain independent legal advice, and that such conduct is conduct deserving of sanction.



7. Kent Wong - Edmonton

Represented by: Self Represented
Law Society Counsel: Lois MacLean
Place and Time: Law Society of Alberta – Edmonton
**January 29, 2007 –
Commencing at 9:30 a.m.**

Citations:

1. It is alleged that you prepared and supplied a Discontinuance of Action and a Release directly to your client for the purposes of concluding a settlement, knowing that the opposing party was represented by counsel but not advising that counsel of the settlement, and that such conduct is conduct deserving of sanction.

8. Roy Elander - Edmonton

Represented by: Self-Represented
Law Society Counsel: Ms. Janet Dixon, Q.C.
Place and time: The Law Society of Alberta – Edmonton
**February 6 & 7, 2007–
commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you failed to respond to the Complainant in a timely fashion, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to follow instructions and keep your client informed, and that such conduct is conduct deserving of sanction.

9. Roy Elander - Edmonton

Represented by: Self-Represented
Law Society Counsel: Ms. Janet Dixon, Q.C.



Place and time: The Law Society of Alberta – Edmonton
**February 20 & 21, 2007–
commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you filed an Amended Statement of Claim which was different from the one which had been provided to opposing counsel in Chambers, and that such conduct is conduct deserving of sanction.
2. It is alleged that you filed an Amended Statement of Claim which was different from the one referred to and approved by the court, and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to provide opposing counsel with a filed copy of the Order, and failed to respond to opposing counsel's communications regarding the discrepancy regarding the Amended Statement of Claim, and that such conduct is conduct deserving of sanction.

10. Jodie Holder - Edmonton

Represented by: Philip G. Lister, Q.C.
Philip G. Lister Professional Corporation
2410 Oxford Tower
10235 101 Street
Edmonton AB T5J 3G1
Telephone: (780) 422-6114

Law Society Counsel: Elizabeth Soper

Place and Time: Law Society of Alberta – Edmonton
**February 22, 2007 –
Commencing at 9:30 a.m.**

Citations:

1. It is alleged that you failed to be candid with the Law Society of Alberta, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to report the criminal charges laid against you to the Law Society of Alberta within a reasonable time after the charges were laid, and that such conduct is conduct deserving of sanction.



11. Sam Eaton - Edmonton

Represented by: Percival E. Odynak
Duncan & Craig LLP
2800 10060 Jasper Avenue
Edmonton AB T5J 3V9
Telephone: (780) 428-6036

Law Society Counsel: Garner Groome

Time and Place: Law Society of Alberta – Edmonton
**February 26 through 28, 2007 –
Commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you, without reasonable justification, failed to pay a financial commitment incurred in the business aspect of the practice of law, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to respond on a timely basis and in a complete and appropriate manner to communications from the Law Society which contemplated a reply, and that such conduct is conduct deserving of sanction.
3. It is alleged that you sought to interfere with the Law Society conduct process by seeking to have a complaint against you withdrawn by the Complainant, and that such conduct is conduct deserving of sanction.

12. Bruce L. Barry – Edmonton

Represented by: Self Represented

Law Society Counsel: Elizabeth Soper

Time and Place: The Law Society of Alberta – Edmonton
**March 12, 13, 14, 15, 16, 2007 –
Commencing at 9:30 a.m. each day**

Citations:

1. It is alleged that you brought the profession into disrepute by making frivolous and vexatious reports about C.A. to the Institute of Chartered Accountants, and that such conduct is conduct deserving of sanction.



2. It is alleged that you failed to be fair, accurate and courteous in your communications with the Institute of Chartered Accountants and with the Law Society regarding C.A., and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to be courteous to C.A. by continuing to direct communications to C.A.'s place of business when specifically asked not to do so, and that such conduct is conduct deserving of sanction.
4. It is alleged that you failed to respond to the Law Society on a timely basis and in a complete and appropriate manner, and that such conduct is conduct deserving of sanction.
5. It is alleged that you failed to be fair, accurate and courteous in your communications with D.T. and in your communications with the Law Society that referenced D.T., and that such conduct is conduct deserving of sanction.

13. Katherine Kubica - Edmonton

Represented by: Mr. William Tatarchuk, Q.C.
Tatarchuk Olson
10147 – 115th Street
Edmonton, Alberta T5K 1T3
Telephone: (780) 482-7373

Law Society Counsel: Elizabeth Soper

Time and Place: Law Society of Alberta – Edmonton
March 20, 2007 -
Commencing at 9:30 a.m.

Citations:

1. It is alleged that you sent a note, written by the Defendant's doctor dated September 22, 2004, directly to Justice Marceau, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to provide the Complainant in a timely manner with the materials provided directly to Justice Marceau, and that such conduct is conduct deserving of sanction.
3. It is alleged that you made threatening comments to the Complainant's client outside the court room, and that such conduct is conduct deserving of sanction.

14. William Shymko – Edmonton

Represented by: Mr. Alexander Pringle, Q.C.
Pringle & Associates
300 Transalta Place
10150 100 Street
Edmonton AB T5J 0P6
Telephone: (780) 424-8866



Law Society counsel: Janet Dixon, Q.C.
Time and Place: The Law Society of Alberta – Edmonton
**March 23, 2007 –
Commencing at 9:30 a.m.**

Citations:

1. It is alleged that you failed to comply with an undertaking to advance funds and breached a trust condition, and that such conduct is conduct deserving of sanction.

15. Gerald Smith - Edmonton

Represented by: Mr. Alexander Pringle, Q.C.
Pringle & Associates
300 Transalta Place
10150 100 Street
Edmonton AB T5J 0P6
Telephone: (780) 424-8866

Law Society counsel: Janet Dixon, Q.C.
Time and Place: The Law Society of Alberta – Edmonton
**April 16, 2007 –
Commencing at 9:30 a.m.**

Citations:

1. It is alleged that you failed to serve your client in a conscientious, diligent and efficient manner, and that such conduct is conduct deserving of sanction.
2. It is alleged that you lied to or misled your client, and that such conduct is conduct deserving of sanction.

16. Charles Hotzel – Calgary

Represented by: Ms. Virginia May, Q.C.
May Jensen Shawa Solomon LLP
Suite 800 Lancaster Building
304 8 Avenue SW
Calgary AB T2P 1C2
Telephone: (403) 571-1520

Law Society Counsel: Garner Groome



Time and Place: The Law Society of Alberta – Calgary
April 18, 19, 20, 2007 –
Commencing at 9:30 a.m. each day

Citations:

1. It is alleged that you failed to take steps to clarify and ascertain who had authority to give instructions pertaining to trust funds, and failed to understand trust conditions pertaining to the funds, and thereby breached the Rules of the Law Society of Alberta, and that such conduct is conduct deserving of sanction.

17. Susan Hendricks - Calgary

Represented by: Self Represented

Law Society Counsel: Elizabeth Soper

Time and Place: Law Society of Alberta – Calgary
April 24 through 27, 2007 –
Commencing at 9:30 a.m. each day

Citations:

1. It is alleged that you failed to serve your client, failed to account to your client, and failed to respond to your client, and that such conduct is conduct deserving of sanction.
2. It is alleged that you failed to respond to the Law Society of Alberta, and that such conduct is conduct deserving of sanction.
3. It is alleged that you failed to respond to the Complainant on a timely basis, and that such conduct is conduct deserving of sanction.
4. It is alleged that you failed to transfer the Complainant's file and failed to respond to successor counsel, and that such conduct is conduct deserving of sanction.
5. It is alleged that you failed to respond to the Law Society of Alberta on a timely basis and in a complete and appropriate manner, and that such conduct is conduct deserving of sanction.
6. It is alleged that you failed to respond to the Law Society of Alberta on a timely basis, and that such conduct is conduct deserving of sanction.
7. It is alleged that you failed to cooperate with the Auditor so that the Rule 130 Audit could not be completed, and that such conduct is conduct deserving of sanction.



8. It is alleged that you failed to follow the Accounting Rules of the Law Society, and that such conduct is conduct deserving of sanction.
9. It is alleged that you failed to file Forms S&T for 2002 and 2003, and thereby breached the Rules of the Law Society.
10. It is alleged that that you failed to respond on a timely basis and in a complete and appropriate manner to communications from the Law Society, and that such conduct is conduct deserving of sanction.

18. Sally McLellan - Calgary

Represented by: Self Represented
Law Society Counsel: Elizabeth Soper
Time and Place: The Law Society of Alberta – Calgary
May 7 through 9, 2007
Commencing at 9:30 a.m.

Citations:

1. It is alleged that you used your position to take unfair advantage of the Complainants, and that such conduct is conduct deserving of sanction.
2. It is alleged that you misled or attempted to mislead the Law Society with respect to the issue of the registered mail forwarded to you by the Law Society on August 18, 2005, and that such conduct is conduct deserving of sanction.

19. Michael Mullrooney - Calgary

Represented by: Self Represented
Law Society Counsel: Lindsay MacDonald, Q.C.
Time and Place: The Law Society of Alberta – Calgary
May 15, 16, 2007 –
Commencing at 9:30 a.m. each day

Citations:

1. It is alleged that you were incompetent and continued to act on matters when you were not competent to act, and thereby breached the *Code of Professional Conduct*, and that such conduct is conduct deserving of sanction.
2. It is alleged that you conducted yourself in such a way as to bring discredit to the Profession, and thereby breached the *Code of Professional Conduct*, and that such conduct is conduct deserving of sanction.



3. It is alleged that you lied or misled other lawyers and thereby breached the *Code of Professional Conduct*, and that such conduct is conduct deserving of sanction.
4. It is alleged that you breached your undertaking to the Law Society, and thereby breached the *Code of Professional Conduct*, and that such conduct is conduct deserving of sanction.

