

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

v.

STEVEN GARY SHAW,

Respondent.

Supreme Court Case

No. SC-

The Florida Bar File

No. 2019-00,184(2B)

FORMAL COMPLAINT FOR RECIPROCAL DISCIPLINE

The Florida Bar, complainant, files this Complaint against Steven Gary Shaw, respondent, pursuant to the Rules Regulating The Florida Bar and alleges:

1. Respondent is, and at all times mentioned in the complaint was, a member of The Florida Bar, admitted on November 24, 2008, and is subject to the jurisdiction of the Supreme Court of Florida.
2. In addition to membership in The Florida Bar, respondent was licensed to practice law in the State of Illinois, admitted on November 23, 2010, subject to the jurisdiction of the Attorney Registration and Disciplinary Commission (“ARDC”) and the Supreme Court of Illinois.
3. This is a reciprocal discipline action, based on the Petition to Impose Discipline on Consent and the Order accepting the Petition, dated March 14, 2014, which imposed a 90-day suspension. A copies of the Petition and Order are

attached hereto as **Composite Exhibit A**.

4. The suspension was based on the following conduct:

A. On or about May 23, 2011, respondent agreed to represent Rebecca Dalvesco-Keener ("Ms. Dalvesco-Keener") in a pending dissolution of marriage case in the Circuit Court of Cook County, and to charge her an hourly rate of \$100 per hour.

B. In July 2011, Ms. Dalvesco-Keener agreed to increase the hourly rate to \$175 per hour for future services.

C. In August 2011, respondent presented Ms. Dalvesco-Keener with a bill that improperly charged her \$175 per hour for all activities performed by respondent from the beginning of representation in May 23, 2011, rather than at the lower rate respondent originally agreed to charge.

D. Respondent improperly charged approximately 26.5 hours at the hourly rate of \$175 instead of \$100.

E. In August 2011, Ms. Dalvesco-Keener submitted a complaint against respondent to the ARDC and the Administrator initiated an investigation.

F. On or about January 27, 2012, respondent sent the Administrator a purported attorney engagement letter dated May 23, 2011 to support his claim that his hourly rate had always been \$175.

G. Respondent knew that the purported May 23, 2011 letter was false because he backdated it from the time that Ms. Dalvesco-Keener had signed it on approximately July 21, 2011.

H. Respondent also knew that the hourly rate stated in the attorney engagement letter was false, because the hourly rate Ms. Dalvesco-Keener agreed to from May 23, 2011 to July 2011 had been \$100 per hour.

I. Respondent also provided the Administrator with timekeeping records that falsely stated the hourly rates and payments received from Ms. Dalvesco-Keener.

J. Respondent was admitted to the Florida Bar on November 24, 2008 but is not currently authorized to practice law in the state of Florida, where he is registered as inactive.

K. The Florida Bar lists basic information about an attorney, as well as additional information entered by the attorney.

L. On respondent's Florida Bar profile, respondent represented that he had been admitted to practice in the following federal courts: U.S. Tax Court; U.S. Court of Appeals for the Seventh Circuit; U.S. District Court, Middle District of Florida; U.S. District Court, Northern District of Florida; U.S. District Court Southern District of Florida; U.S. District Court, Central District of Illinois; U.S. District Court Northern District of Illinois; U.S.

District Court, Southern District of Illinois; Florida Middle District Bankruptcy Court; Florida Northern District Bankruptcy Court; Florida Southern District Bankruptcy Court; Illinois Central District Bankruptcy Court; Illinois Northern District Bankruptcy Court; and the Illinois Southern District Bankruptcy Court.

M. Respondent knew his statements regarding his admission to practice in the above federal courts were false, because respondent has not been admitted to practice in any federal court.

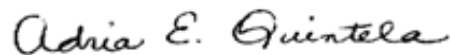
N. By reason of the foregoing, respondent was found to have violated the following Illinois Rules of Professional Conduct (2010): 8.1 knowingly making false statements in connection with a disciplinary matter; 7.1 making a false or misleading communication about his admissions to practice in certain federal courts; and 8.4(c) engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation.

5. By operation of Rule 3-4.6, Rules Regulating The Florida Bar, the Petition and Order from the Supreme Court of Illinois shall be considered as conclusive proof of such misconduct in this disciplinary proceeding.

WHEREFORE, The Florida Bar prays respondent will be appropriately disciplined in accordance with the provisions of the Rules Regulating The Florida Bar as amended.



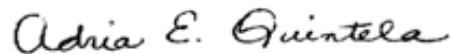
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CERTIFICATE OF SERVICE

I certify that this document has been e-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, with a copy provided via email to Respondent, Steven Gary Shaw, at sgs.sgs@gmail.com and that a copy has been furnished by United States Mail via certified mail No. 7017 1070 0000 4774 1688, return receipt requested to Respondent, whose record bar address is 165 West Superior Street, Unit 3004, Chicago, IL 60654-3587 and via email to James Keith Fisher, Bar Counsel, jfisher@floridabar.org, on this 8th day of February, 2019.



ADRIA E. QUINTELA
Staff Counsel

**NOTICE OF TRIAL COUNSEL AND DESIGNATION OF PRIMARY
EMAIL ADDRESS**

PLEASE TAKE NOTICE that the trial counsel in this matter is James Keith Fisher, Bar Counsel, whose address, telephone number and primary email address are The Florida Bar, Tallahassee Branch Office, 651 East Jefferson Street, Tallahassee, Florida 32399-2300, (850) 561-5845 and jfisher@floridabar.org. Respondent need not address pleadings, correspondence, etc. in this matter to anyone other than trial counsel and to Staff Counsel, The Florida Bar, Lakeshore Plaza II, Suite 130, 1300 Concord Terrace, Sunrise, Florida 33323, aquintel@flabar.org.

MANDATORY ANSWER NOTICE

RULE 3-7.6(h)(2), RULES OF DISCIPLINE, EFFECTIVE MAY 20, 2004,
PROVIDES THAT A RESPONDENT SHALL ANSWER A COMPLAINT.

Rules and Decisions[Recently Filed Disciplinary Decisions and Complaints](#) | [Home](#)**DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH*****Petition Allowed by the Illinois Supreme Court
and Imposing Discipline on Consent****Allowed March 14, 2014***IN THE SUPREME COURT OF ILLINOIS**

In the Matter of:

STEVEN G. SCHOCHETMAN,

Supreme Court No. M.R.26607

Attorney-Respondent,

Commission No. 2013PR00094

No. 6304401.

**PETITION TO IMPOSE DISCIPLINE ON CONSENT
PURSUANT TO SUPREME COURT RULE 762(b)**

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorney, Eunbin Rii, with the consent of Respondent, Steven G. Schochetman, and the approval of a panel of the Hearing Board, pursuant to Supreme Court Rule 762(b), petitions the Court to enter an order suspending Respondent for 90 days. In support, the Administrator states:

I. Summary of Petition

1. Respondent was admitted to practice law in Illinois on November 23, 2010, and is also admitted, but not authorized to practice law, in the state of Florida. Respondent does not currently engage in the practice of law. In relation to the Administrator's investigation of Respondent's representation of a client in a dissolution of marriage matter, Respondent produced documents that falsely stated the hourly rate Respondent had agreed to charge the client. Respondent also created an entry on the Florida Bar website that falsely stated that he was admitted to practice in many federal courts.

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3. The recommended discipline is consistent with this Court's precedent, including the cases of *In re Peritz*, M.R. 21620, 2006PR00002 (May 18, 2010), and *In re Brown*, M.R. 18116, 01 CH 62 (May 24, 2002). A discussion of the recommendation for discipline and disciplinary precedent involving similar conduct is contained in Section III of this petition.

4. At the time this petition was presented to the Hearing Board, a two count complaint was pending against Respondent before the Commission's Hearing Board. The members of the panel assigned to consider the complaint have, as required by Rule 762(b)(1)(b), approved the submission of this matter to the Court as an agree matter. Respondent's affidavit is attached as Exhibit One. A copy of the Panel's order approving the submission of this matter to the Court is attached as Exhibit Two. A copy of the report of proceedings before the Hearing Board is attached as Exhibit Three.

II. Factual Basis For Recommendation

A. *Delivery of False Documents to ARDC*

5. Respondent is 37 years-old, was admitted to practice law in Illinois on November 23, 2010, has no prior disciplinary history, and does not currently practice law.

6. On or about May 23, 2011, Respondent agreed to represent Rebecca Dalvesco-Keener ("Dalvesco-Keener") in a pending dissolution of marriage case in the Circuit Court of Cook County, and to charge her at a rate of \$100 per hour. In July 2011, Ms. Dalvesco-Keener agreed to increase the hourly rate to \$175 per hour for future services. However, in August 2011, Respondent presented Ms. Dalvesco-Keener with a bill that improperly charged the client \$175 per hour for all activities performed by Respondent from the beginning of representation in May 23, 2011, rather than at the lower rate Respondent originally agreed to charge. Respondent improperly charged approximately 26.5 hours at the hourly rate of \$175 instead of \$100.

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7. In August 2011, Ms. Dalvesco-Keener submitted a complaint against Respondent to the ARDC and the Administrator initiated an investigation. On or about January 27, 2012, Respondent sent the Administrator a purported attorney engagement letter dated May 23, 2011 to support his claim that his hourly rate had always been \$175. Respondent knew that the purported May 23, 2011 letter was false because he backdated the letter from the time that Ms. Dalvesco-Keener had signed the letter on approximately July 21, 2011. Respondent also knew that the hourly rate stated in the attorney engagement letter was false, because the hourly rate Ms. Dalvesco-Keener agreed to from May 23, 2011 to July 2011 had been \$100 per hour. Respondent also provided the Administrator with timekeeping records that falsely stated the hourly rates and payments received from Ms. Dalvesco-Keener.

B. *False Communication Concerning Respondent's Admissions in Federal Courts*

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9. On Respondent's Florida Bar profile, Respondent entered, shortly after his admission into the Illinois Bar in November 2010, in his Florida Bar profile that he had been admitted to practice in the following federal courts: U.S. Tax Court; U.S. Court of Appeals for the Seventh Circuit; U.S. District Court, Middle District of Florida; U.S. District Court, Northern District of Florida; U.S. District Court Southern District of Florida; U.S. District Court, Central District of Illinois; U.S. District Court Northern District of Illinois; U.S. District Court, Southern

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District of Illinois; Florida Middle District Bankruptcy Court; Florida Northern District Bankruptcy Court; Florida Southern District Bankruptcy Court; Illinois Central District Bankruptcy Court; Illinois Northern District Bankruptcy Court; and the Illinois Southern District Bankruptcy Court. Respondent's statements regarding his admission to practice in the above federal courts were false because Respondent has not been admitted to practice in any federal courts.

C. Conclusion of Misconduct

10. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. knowingly making false statements in connection with a disciplinary matter, in violation of Rule 8.1 of the Illinois Rules of Professional Conduct (2010);
- b. making a false or misleading communication about his admissions to practice in certain federal courts, in violation of Rule 7.1 of the Illinois Rules of Professional Conduct (2010); and
- c. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

D. Mitigating and Aggravating Factors

11. In mitigation, Respondent is remorseful for his conduct, has no prior disciplinary history, and Ms. Dalvesco-Keener was the first client he represented in any matter. In aggravation, Respondent did not remove the list of federal courts from his Florida Bar website profile for two years from the time the ARDC first informed him that the listing contained multiple false statements.

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III. Recommendation and Discussion of Precedent

12. The Administrator recommends that this Court enter an order suspending Respondent from the practice of law for a period of 90 days.

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the ARDC regarding his communication with the client and attached purported copies of letters that were actually created for the purpose of responding to the ARDC. Similarly, Respondent made false statements to the ARDC regarding the hourly rate charged to Ms. Dalvesco-Keener and presented a falsely-dated attorney engagement letter to support his false statements.

14. In *In re Brown*, M.R. 18116, 01 CH 62 (May 24, 2002), the attorney was suspended for 60 days for placing a misleading advertisement for his legal services in a local phone directory and neglecting one client matter. In *Brown*, and in this case, the attorneys made misleading statements regarding their qualifications. Respondent's conduct warrants a lengthier suspension than was imposed in *Brown* though, because Respondent made false statements to the ARDC and did not remove the list of federal courts from his Florida Bar website profile for two years from the time the ARDC first informed him that the listing contained multiple false statements.

IV. CONCLUSION

WHEREFORE, the Administrator, with the consent of Respondent, Steven G. Schochetman, and the approval of a panel of the Hearing Board, respectfully requests that the Court enter an order suspending Respondent for a period of ninety (90) days.

Respectfully
submitted,

Jerome Larkin,
Administrator
Attorney
Registration and
Disciplinary
Commission

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DECISION FROM DISCIPLINARY REPORTS AND DECISIONS SEARCH

M.R.26607 - In re: Steven G. Schochetman. (March 14, 2014)

Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Steven G. Schochetman is suspended from the practice of law for ninety (90) days.

Suspension effective April 4, 2014.

Respondent Steven G. Schochetman shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

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