



OFFICE OF DISCIPLINARY COUNSEL

August 21, 2017

BY FIRST CLASS AND CERTIFIED
MAIL NO. 9414-7266-9904-2091-4474-93

CONFIDENTIAL

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Jonathan T. Linde
Post Office Box 8
Marion, Massachusetts 02738

Re: *In re Jonathan T. Linde*
D.C. Bar Registration No. 479447
Disciplinary Docket No. 2016-D150

Dear Mr. Linde:

This office has completed its investigation of the above-referenced matter. We find that your conduct reflected a disregard of certain ethical standards under the District of Columbia Rules of Professional Conduct. We are, therefore, issuing you this Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8.

We docketed this matter on May 17, 2016, based upon a complaint by your former employer.

Relevant Facts

You were admitted to practice law in the District of Columbia on October 4, 2002.

On August 24, 2014, Eckert Seamans Cherin & Mellott LLC hired you as a "special member," meaning that you had a non-equity contractual relationship with the firm. When you signed the contract, you were an active member of the District of Columbia and Maryland bars, and you were to work with the firm's regulatory practice lawyers in the District of Columbia. The contract expressly required that you maintain your licenses to practice and to be "enrolled in good standing in the Bars of the District of Columbia and the State of Maryland." However, by September 30, 2014, your licenses to practice law were administratively suspended for non-payment of mandatory attorney registration fees, and remain administratively suspended to this day. You did not inform the firm of your suspension, you continued to hold yourself out as a member of the bars of the District of Columbia and Maryland, and you continued to work and provide legal services to the firm and its clients.

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You admit that when you were employed at Eckert Seamans Cherin & Mellott, LLC, and after your licenses were suspended, you held yourself out as a member of the bars of the District of Columbia and Maryland, and you engaged in the practice of law, although you never made any court appearances. You state, however, that you were distracted by a number of personal problems, and that you did not realize that your licenses to practice law had been suspended.

Rule 5.5 – Unauthorized Practice of Law

Rule 5.5(a) prohibits a lawyer from “[p]racticing law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction. . . .”

Rule 49(a) of the Rules of the District of Columbia Court of Appeals provides that “[n]o person shall engage in the practice of law in the District of Columbia or in any manner hold out as authorized or competent to practice law in the District of Columbia unless enrolled as an *active* member of the District of Columbia Bar” (Emphasis added.)

You violated Rule 5.5(a) when you when you held yourself out as “authorized . . . to practice law in the District of Columbia” and when you engaged in the practice of law while your license was administratively suspended.

Conclusion

In issuing this informal admonition, Disciplinary Counsel has taken into consideration that you have cooperated with Disciplinary Counsel’s investigation, that you have no prior discipline, and that you have accepted responsibility for your actions by accepting this informal admonition.

This letter constitutes an Informal Admonition pursuant to D.C. Bar Rule XI, §§ 3, 6, and 8, and is public when issued. Please refer to the attachment to this letter of Informal Admonition for a statement of its effect and your right to have it vacated and have a formal hearing before a hearing committee.

If you would like to have a formal hearing, you must submit a written request for a hearing to the Office of Disciplinary Counsel, with a copy to the Board on Professional Responsibility, within 14 days of the date of this letter, unless Disciplinary Counsel grants an extension of time. If a hearing is requested, this Informal Admonition will be vacated, and Disciplinary Counsel will institute formal charges pursuant to D.C. Bar Rule XI, § 8(c). The case will then be assigned to a Hearing Committee, and a hearing will be scheduled by the Executive Attorney for the Board on Professional Responsibility pursuant to D.C. Bar Rule XI, § 8(d). Such a hearing could result in

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a recommendation to dismiss the charges against you or a recommendation for a finding of culpability, in which case the sanction recommended by the Hearing Committee is not limited to an Informal Admonition.

Sincerely,

Hamilton P. Fox, III
Disciplinary Counsel

Enclosure: Attachment to Letter of Informal Admonition

HPF:JNB:eaf