

*People v. DuBarry*, No.02PDJ072. 01.22.03. Attorney Regulation. The Presiding Disciplinary Judge approved the parties' Conditional Admission of Misconduct and suspended Respondent Deonne DuBarry, attorney registration number 18237, from the practice of law in the State of Colorado for a period of one year in this reciprocal discipline proceeding from the State of Louisiana. Respondent and her law partner and husband (the "Firm") represented a client in a wrongful death action. The Firm negotiated a settlement for the client which included an annuity. The Firm calculated the contingency fee amount and tendered payment to the client less that amount. A dispute arose between the client and the Firm with regard to the contingency fee amount based on the annuity. Respondent failed to segregate the disputed funds and did not take steps to ensure that the contingency fee was legally accurate. The client filed suit against the Firm which extended over a considerable number of years. The trial court found in favor of the client for the disputed attorney's fees and sanctioned the Firm for abuse of process, unethical practices, fraud, and conversion, and for intentional infliction of emotional distress. The decision was affirmed on appeal. Respondent was suspended for one year in the State of Louisiana for: impeding a lawsuit filed by the client, prolonging a lawsuit to harass the client, and refusing to make prompt payment of funds to which the client was entitled to receive. Respondent's conduct constitutes the following violations in the State of Colorado: Colo. RPC 3.1 by frivolously defending the lawsuit and asserting claims against the client, Colo. RPC 3.3(a) by making false statements regarding the factual basis for the defense and assertion of other claims in the lawsuit, Colo. RPC 3.5(c) by engaging in tactics which disrupted the proceedings before the court, and Colo. RPC 4.4 by engaging in tactics which had no substantial purpose other than to embarrass, delay or burden the client. Respondent was ordered to pay the costs of the disciplinary proceeding.