

**DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD OF PROFESSIONAL RESPONSIBILITY**



In the matter of

*

DANA A. PAUL, ESQUIRE

*

Respondent

*

BRICK HOUSE TITLE, LLC

*

**Disciplinary Docket
No. 2019- D199**

Bar Number 490142

*

Date of Admission: 11/12/2004.

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ANSWER

Respondent Dana A. Paul, Esq., hereby files this Answer to the Petition, filed by the Office of Disciplinary Counsel, instituting formal proceedings, pursuant to District of Columbia Court of Appeals, Board of Professional Responsibility Rule 7.8, and states:

1. Admitted.
2. Admitted.
3. Admitted that the complaints filed by N.E. alleged, *inter alia*, that Respondent conspired with opposing counsel against N.E., that Respondent failed to communicate with the complainant and failed to return the complainant's phone calls and attacked Respondent's character. The reason why Respondent would not answer those phone calls was reported in Respondent's responses to the Maryland Attorney Grievance (AGC) and the Office of Disciplinary Counsel

(ODC), and is the subject of a complaint to OCD concerning N.E.'s conduct.

4. Admitted.
5. Admitted. Respondent provided the full case file to the OCD. Denied that Respondent made any *ad hominem* attacks on N.E. Respondent provided an assessment of N.E.'s personality since Respondent had represented N.E. in a previous litigation, which was related to the charges against Respondent.
6. Denied. Respondent's complaint to the OCD was intimately and reasonably related to the charges filed against Respondent.
7. Admitted that Respondent disclosed that N.E. had attempted to commit a fraud under the cover of Respondent's legal services to OCD. Respondent should have reported this conduct earlier, but didn't want N.E.'s legal career to end before it began.
8. Admitted that Respondent stated that N.E. was dishonest because Respondent is in possession of the documentary proof of the alleged transgressions, and in one instance, N.E.'s dishonesty was previously uncovered by a third party attorney.

Further, Respondent did not originally file a complaint against N.E. because he did not want the headache of dealing with N.E. in a protracted litigation. However, N.E. later filed a motion for contempt against Respondent in the Circuit Court for Prince

George's County, Case No. CAL 17-12980, alleging that Respondent committed contempt and frauds upon that Court. Respondent felt obliged to report N.E.'s misconduct because N.E. harmed other people by filing similar unfounded, frivolous accusation in court filings.

9. Denied. Respondent did not violate the Rules of Professional Responsibility;

(a) Denied. Respondent was permitted by Rule 1.6 (e) (3) to make the disclosures to the OCD, to the extent Respondent believed was reasonably necessary to establish a defense to the disciplinary charge against him: and reasonably necessary to respond to specific allegations by N.E. concerning the Respondent's representation.

(b) Denied. Respondent filed the complaint against N.E. because N.E. is dishonest to the degree that it is harmful to the legal profession. Rule 8.3 (a) provides a duty for Respondent to report N.E.'s actions because N.E.'s actions raise a substantial question as to N.E.'s honesty, trustworthiness, and fitness to practice law.

WHEREFORE, Respondent denies any violation of the Rules of professional Conduct and requests this Petition be dismissed with prejudice.

Respectfully submitted by



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Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of October 2019 a copy of the *Respondent's Answer to Petition* was served first class mail, postage prepaid to Office of Disciplinary Counsel, Hamilton Fox, Esq., 515 5th Street, N.W., #117, Washington, DC 20001, Counsel for Petitioner, and an Original and three (3) copies to The Office of Executive Attorney, 450 E Street, N.W., #138, Washington, DC 20001.

