THIS REPORT IS NOT A FINAL ORDER OF DISCIPLINE*

DISTRICT OF COLUMBIA COURT OF APPEALS
BOARD ON PROFESSIONAL RESPONSIBILITY
AD HOC HEARING COMMITTEE

In the Matter of:	:	
	:	
BRYAN S. ROSS,	:	
	:	Board Docket No. 24-ND-005
Respondent.	:	Disciplinary Docket Nos. 2023-D085 & 2023-D162
	:	
A Member of the Bar of the District of Columbia Court of Appeals (Bar Registration No. 263863)	:	

REPORT AND RECOMMENDATION OF
AD HOC HEARING COMMITTEE
APPROVING PETITION FOR NEGOTIATED DISCIPLINE

I. PROCEDURAL HISTORY

This matter came before an Ad Hoc Hearing Committee on February 28, 2025, for a limited hearing on a Petition for Negotiated Discipline (the "Petition"). The members of the Hearing Committee are Christina Biebesheimer, Esquire (Chair), Lisa Harger (Public Member), and Elizabeth Greenidge, Esquire (Attorney Member). The Office of Disciplinary Counsel was represented by Deputy Disciplinary Counsel Julia L. Porter, Esquire. Respondent, Bryan S. Ross, was represented by Eric L. Yaffe, Esquire.

The Hearing Committee has carefully considered the Petition signed by Disciplinary Counsel, Respondent, and Respondent's counsel, the supporting affidavit submitted by Respondent (the "Affidavit"), and the representations during

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* Consult the 'Disciplinary Decisions' tab on the Board on Professional Responsibility's website (www.dcattorneydiscipline.org) to view any subsequent decisions in this case.

the limited hearing made by Respondent, Respondent's counsel, and Disciplinary Counsel. The Hearing Committee also has fully considered the Chair's in camera review of Disciplinary Counsel's files and records, and ex parte communications with Disciplinary Counsel. For the reasons set forth below, the Hearing Committee finds that the negotiated discipline of a one-year suspension is justified and recommends that it be imposed by the Court.

II. FINDINGS PURSUANT TO D.C. BAR R. XI, § 12.1(c) AND BOARD RULE 17.5

The Hearing Committee, after full and careful consideration, finds that:

1. The Petition and Affidavit are full, complete, and in proper order.

2. Respondent is aware that there is currently pending against him an investigation into allegations of misconduct. Tr. 16;[1] Affidavit ¶ 3.

3. The allegations that were brought to the attention of Disciplinary Counsel are that Respondent engaged in misconduct in multiple bankruptcy cases, as reflected in a May 23, 2023 Memorandum Opinion in *In re Tigist Kebede*, Case No. 18-12086-KHK (Bankr. E.D. Va), and a referral by the United States Department of Justice, Office of the Trustee. Petition at 1.

4. Respondent has freely and voluntarily acknowledged that the material facts and misconduct reflected in the Petition are true. Tr. 16-17, 19; Affidavit ¶ 4. Specifically, Respondent acknowledges that:

> 1. Respondent Bryan S. Ross was admitted to the Bar of the District of Columbia Court of Appeals on April 9, 1979, and assigned Bar number 263863.

[1] "Tr." refers to the transcript of the limited hearing held on February 28, 2025.

2. Respondent has served as counsel in numerous bankruptcy matters, including before the United States Bankruptcy Courts for the District of Columbia, the District of Maryland, and the Eastern District of Virginia.

3. Respondent also served on the panel of trustees of the Office of the United States Trustee in the District of Columbia for more than 40 years until he resigned in June 2023.

4. In 2013, Respondent entered into an agreement with Fox & Associates Partners, Inc. TIA Tranzon Fox (Tranzon or Tranzon Fox), a company which auctions real estate and acts as a real estate broker for debtors and trustees in bankruptcy matters in D.C., Maryland, and Virginia.

5. Tranzon receives a commission for its auction and brokerage services. To obtain business, the company enters into referral arrangements under which it pays a percentage of the commission to the source of the referral.

6. Respondent's agreement with Tranzon provided that the company would pay Respondent a percentage of its commission for transactions referred by Respondent. After making the referral, Respondent would consult with Tranzon about the transaction.

7. Between 2014 and 2021, Respondent made referrals that resulted in other trustees or debtors (through their counsel) retaining Tranzon in six bankruptcy cases in D.C., 11 bankruptcy cases in Maryland, and one bankruptcy case in the Eastern District of Virginia. Tranzon paid Respondent fees in all but one of these 18 cases. The exception was one D.C. case which was dismissed before the sale of the applicable property. In those 18 cases, the debtor was required to file an application with the bankruptcy court for authority to employ Tranzon, supported by a verified statement from Tranzon. In the verified statements, Tranzon's principal declared that neither he nor Tranzon had any connection with the debtor, the creditor, other parties in interest, their attorneys or accountants, the U.S. Trustee or anyone employed by the U.S. Trustee. Tranzon knew that Respondent served as a panel trustee.

8. In the employment applications and supporting declarations in the 18 cases in which Respondent had been the source of the referral, Tranzon and Respondent did not disclose to the court or the U.S. Trustee anything about Respondent's involvement or the referral fees that Tranzon had agreed to pay Respondent.

9. Tranzon and Respondent also did not make any disclosure about Respondent's involvement or fee in the subsequent motions to approve the sale and the report of sale that were filed with the bankruptcy courts.

10. Tranzon's principal, Jeff Stein, later testified that Respondent never told him he had a duty to disclose information about their arrangement and the fees Tranzon was paying him in the referred matters, and that Tranzon relied on Respondent to advise Tranzon of any disclosure requirements.

11. Respondent also retained Tranzon in two matters in which Respondent was serving as the Chapter 7 trustee, one case that was filed in 2015 and the other filed in 2016. In his applications to retain Tranzon in these two cases, Respondent included a footnote stating that they had a consulting arrangement dating back to 2013 for which Tranzon paid him for "certain designated functions." Respondent further represented in the footnote that his agreement with Tranzon did not extend to cases in which Respondent was the trustee, and that Tranzon would not pay Respondent for the transaction in that case.

12. In or around July or August of 2020, the U.S. Trustee learned that Respondent was involved in a D.C. case on behalf of Tranzon after reviewing the time records of the debtor's counsel in that case, *In re 1006 Webster, LLC*, Case No. 20-00302-ELG (Ch. 11). The time records reflected multiple discussions between the debtor's counsel and Respondent on behalf of Tranzon.

13. The U.S. Trustee sought and obtained court permission to examine the principal of Tranzon, Jeff Stein, pursuant to Federal Rule of Bankruptcy Procedure 2004. Based on Stein's testimony and Tranzon's production of documents, the U.S. Trustee learned of the arrangement between Tranzon and Respondent, including the fees

Tranzon had paid to Respondent in multiple bankruptcy cases. As stated, none of these fees had been disclosed to the bankruptcy courts or the U.S. Trustee.

14. The U.S. Trustee notified the D.C. Bankruptcy Court of its concerns with respect to the adequacy and completeness of Tranzon's disclosures pursuant to Bankruptcy Rule 2014 in seeking to be retained under Bankruptcy Code Section 327, specifically, Tranzon's failure to disclose its relationship with Respondent and their fee arrangement. The U.S. Trustee also alleged that the compensation awarded and received by Tranzon under Code Section 330 had been inappropriately shared with Respondent in violation of Code Section 504 which prohibits fee sharing.

15. In the *1006 Webster* case, Tranzon and the U.S. Trustee entered into a settlement agreement in which Tranzon agreed to pay the bankruptcy estate $32,400 – the amount Tranzon paid to Respondent as his share of the commission – and to file an amended declaration in support of Tranzon's application for approval of employment in which Tranzon disclosed Respondent's involvement and the fee he was to receive.

16. In September 2022, after the D.C. Bankruptcy Court approved the settlement between the U.S. Trustee and Tranzon in the *1006 Webster* case, the Bankruptcy Court in the Eastern District of Virginia reopened *In re Tigist Kebede*, Case No. 18-12086-KHK (Ch. 11), to determine whether Tranzon and Respondent should be required to disgorge their fees in that case.

17. On December 15, 2022, the Bankruptcy Court in the Eastern District of Virginia issued a show cause order in the *Kebede* case.

18. The court scheduled an initial hearing, at which counsel for Respondent, counsel for Tranzon, and the U.S. Trustee appeared. On October 24, 2023, the court scheduled a further hearing and directed Tranzon and Respondent to show cause why they should not be sanctioned in connection with the undisclosed referral fee between them in the *Kebede* case.

19. In response to the show cause order, Respondent described his relationship with Tranzon and his receipt of $9,150 from Tranzon's $64,050 commission in the *Kebede* case.

20. Respondent falsely represented to the court that he "played no role in the preparation or filing of the *Tranzon Application* [for employment] or the *Verified Statement*, and [he] did not receive a copy of either document for review prior to their filing."

21. The U.S. Trustee filed a response to Respondent's brief, advising the *Kebede* court that Respondent had been involved in the preparation and review of the application. The U.S. Trustee provided the court copies of some of the emails between Tranzon and Respondent – which Tranzon previously produced to the U.S. Trustee in the D.C. case – refuting Respondent's statements. The emails also showed that Respondent had provided advice on how to address the U.S. Trustee's objection to the employment application in the case. These emails were exchanged approximately three-and-one-half years prior to the show cause hearing.

22. Prior to the show cause hearing, Tranzon and the U.S. Trustee entered into a settlement agreement.

23. At the show cause hearing, Respondent, through his counsel, admitted that Respondent had been involved in the application process. Respondent agreed to disgorge his $9,150 fee from Tranzon in the *Kebede* case.

24. The *Kebede* court found that Respondent violated Bankruptcy Rule 9011 by his "ghostwriting" and advising on an employment application without signing it and without disclosing his involvement in the employment application. The court further found that Respondent made false representations about his involvement in the filing of legal documents and that he had engaged in impermissible fee sharing in violation of Section 504 of the Bankruptcy Code. The court accepted Respondent's offer of disgorgement "as a sanction" finding that "it is the only meaningful remedy to the inexcusable nondisclosure and fee sharing in this case."

25. On May 2, 2023, the *Kebede* court issued an order of disgorgement, directing Respondent to pay the estate $9,150 within 30 days.

26. On May 22, 2023, the D.C. Bankruptcy Court opened a separate miscellaneous proceeding against Respondent because it was "disturbed by the facts and circumstances established in both the Settlement Order [in *1006 Webster* case] and the Opinion." *In re Bryan S. Ross, Chapter 7 Trustee*, Misc. Pro. No. 23-20001-ELG.

27. The D.C. Bankruptcy Court issued an order for Respondent to show cause why it should not: (1) reopen each of the cases in which Tranzon was retained; (2) reopen each Chapter 7 case in which Respondent served as trustee and Tranzon was involved; (3) reopen the cases listed in the *1006 Webster* settlement for purposes of review and disgorgement of any fees that Respondent received; and (4) remove Respondent as a Chapter 7 trustee in all pending cases for misconduct in the course of his statutory duties.

28. The court later explained that it issued the show cause order "because it was readily apparent that [Respondent] was not going to take any corrective action following entry of both the Settlement [in *1006 Webster*] and the *Kebede* Opinion, despite the clear and unqualified findings as to the insufficiencies of his disclosures in this Court."

29. In his response to the D.C. Bankruptcy Court's show cause order, Respondent notified the court that on June 8, 2023, he had resigned from the panel of bankruptcy trustees that the U.S. Trustee maintained for the District of Columbia. Respondent also repeated his offer to the U.S. Trustee to disgorge $30,010.46 – the fees received in the other four D.C. cases in which Tranzon paid him (Tranzon already had disgorged the fee paid to Respondent in the *1006 Webster* case).

30. Respondent further responded to the court that he would defer to the court about his continued involvement in the seven Chapter 7 cases in D.C. that were designated as asset cases in which he served as trustee, many of which he expected would be resolved within a few months.

31. The D.C. Bankruptcy Court held a hearing on August 17, 2023, which Respondent attended with counsel. The court ruled that:

a. It was unnecessary to reopen all the D.C. cases in which Tranzon was retained, but it would refer its opinion to the Clerk of the Court and the bankruptcy judges in the District of Maryland;

b. It would not reopen the two cases in which Respondent served as the Chapter 7 Trustee and retained Tranzon because it was satisfied that there was no compensation shared in those two matters, but the court "nevertheless f[ound] that the disclosures in those case [sic] were entirely and completely insufficient" and reserved the right to reopen them subject to certain conditions;

c. Respondent must provide notice to all parties in interest in the other D.C. cases of (i) the court's opinion, and (ii) their right, within 60 days, to file for a distribution from the disgorged funds;

d. Respondent would disgorge $30,010.46, as he had agreed to do;

e. Despite there being "more than sufficient evidence of cause to have removed [Respondent] under § 324 of the Bankruptcy Code," Respondent could continue to be involved in the five asset cases then pending that were close to completion; and

f. It would refer Respondent to the federal court's Committee on Judicial Conduct.

32. Respondent's conduct violated the following Rules of the District of Columbia Rules of Professional Conduct and/or the counterpart Rules in Virginia and/or Maryland:

a. Rule 8.4(c), in that Respondent engaged in conduct involving dishonesty, deceit, and/or misrepresentation; and

b. Rule 8.4(d), in that Respondent engaged in conduct that seriously interfered with the administration of justice.

Petition at 2-10.

5. Respondent is agreeing to the disposition because Respondent believes that he cannot successfully defend against discipline based on the stipulated misconduct. Tr. 15-16; Affidavit ¶ 5.

6. Disciplinary Counsel has made no promises to Respondent other than what is contained in the Petition. Affidavit ¶ 6. Those promises are

> In connection with this Petition for Negotiated Disposition, Disciplinary Counsel agrees not to pursue any charges arising out of the conduct described in Section II, supra, other than the Rule violations set forth above, or any sanction other than that set forth below.
>
> [Footnote:] If the Court does not approve the petition for negotiated discipline, Disciplinary Counsel reserves the right to charge Respondent with additional Rule violations arising out of the misconduct described in Section II. Disciplinary Counsel has advised Respondent of what those additional charges might be.

Petition at 10 & n.1. Respondent confirmed during the limited hearing that there have been no other promises or inducements other than those set forth in the Petition. Tr. 18-19.

7. Respondent has conferred with his counsel. Tr. 8-9.

8. Respondent has freely and voluntarily acknowledged the facts and misconduct reflected in the Petition and agreed to the sanction set forth therein. Tr. 16-19; Affidavit ¶ 2.

9. Respondent is not being subjected to coercion or duress. Tr. 19; Affidavit ¶ 2.

10. Respondent is competent and was not under the influence of any substance or medication that would affect his ability to make informed decisions at the limited hearing. Tr. 9-10.

11. Respondent is fully aware of the implications of the disposition being entered into, including, but not limited to, the following:

> a) he has the right to consult with counsel prior to entering this negotiated disposition;
> b) he will waive his right to cross-examine adverse witnesses and to compel witnesses to appear on his behalf;
> c) he will waive his right to have Disciplinary Counsel prove each and every charge by clear and convincing evidence;
> d) he will waive his right to file exceptions to reports and recommendations filed with the Board and with the Court;
> e) the negotiated disposition, if approved, may affect his present and future ability to practice law;
> f) the negotiated disposition, if approved, may affect his bar memberships in other jurisdictions; and
> g) any sworn statement by Respondent in his affidavit or any statements made by Respondent during the proceeding may be used to impeach his testimony if there is a subsequent hearing on the merits.

Tr. 11-14; Affidavit ¶¶ 1, 7, 9,11.

12. Respondent and Disciplinary Counsel have agreed that the sanction in this matter should be a one-year suspension. Petition at 11; Tr. 18. Respondent understands that he must file with the Court an affidavit pursuant to D.C. Bar R. XI, § 14(g) in order for his suspension to be deemed effective for purposes of reinstatement. Tr. 22.

13. The parties agree to the following fact in aggravation of sanction: Respondent received a thirty-day suspension almost thirty years prior to the filing of the Petition for commingling and failing to promptly notify and pay a third party with an interest in the settlement funds. *See In re Ross*, 658 A.2d 209 (D.C. 1995); *see also* Tr. 21-22; Petition at 13.

14. The parties agree to the following facts in mitigation of sanction:

(1) Respondent has disgorged the fees that Tranzon paid him in the D.C. and Virginia cases and has entered into an agreement with the U.S. Trustee to disgorge fees in one of the Maryland cases, and by the time of the limited hearing had paid $30,000 to resolve the matters in Maryland;
(2) Respondent resigned his position as a panel trustee and assisted in completing the remaining cases in which he was involved;
(3) Respondent has cooperated in Disciplinary Counsel's investigation, including by meeting with Disciplinary Counsel to answer questions; and
(4) Respondent is accepting responsibility by entering into this Petition.

Tr. 19-21; Petition at 13; Affidavit ¶ 13.

15. One of the complainants was notified of the limited hearing but declined to appear or provide any written comment. Tr. 5-6. The other complaint was made anonymously. Tr. 6.

III. DISCUSSION

The Hearing Committee shall recommend approval of a petition for negotiated discipline if it finds:

(1) The attorney has knowingly and voluntarily acknowledged the facts and misconduct reflected in the petition and agreed to the sanction set forth therein;

(2) The facts set forth in the petition or as shown at the hearing

support the admission of misconduct and the agreed upon sanction; and

(3) The sanction agreed upon is justified. . . .

D.C. Bar R. XI, § 12.1(c)(1)-(3); *see also* Board Rule 17.5(a)(i)-(iii).

A. Respondent Has Knowingly and Voluntarily Acknowledged the Facts and Misconduct and Agreed to the Stipulated Sanction.

The Hearing Committee finds that Respondent has knowingly and voluntarily acknowledged the facts and misconduct reflected in the Petition and agreed to the sanction therein. Respondent, after being placed under oath, admitted the stipulated facts and charges set forth in the Petition, and denied that he is under duress or has been coerced into entering into this disposition. *See supra* ¶¶ 4, 8-9; Tr. 8. Respondent understands the implications and consequences of entering into this negotiated discipline. *See supra* ¶ 11.

Respondent has acknowledged that any and all promises that have been made to him by Disciplinary Counsel as part of this negotiated discipline are set forth in writing in the Petition and that no other promises or inducements have been made to him. *See supra* ¶ 6.

B. The Stipulated Facts Support the Admissions of Misconduct and the Agreed-Upon Sanction.

The Hearing Committee has carefully reviewed the facts set forth in the Petition and established during the hearing and concludes that they support the admission of misconduct and the agreed-upon sanction. Moreover, Respondent is agreeing to this negotiated discipline because he believes that he could not successfully defend against the misconduct described in the Petition. *See supra* ¶ 5.

With regard to the second factor, the Petition states that Respondent violated D.C. Rule of Professional Conduct 8.4(c) (prohibiting conduct involving dishonesty, deceit and/or misrepresentation), and/or the counterpart Rules in Virginia and/or Maryland. The stipulated facts show that Respondent was dishonest when he falsely told the court in the *Kebede* case that he played no role in preparing or filing Tranzon's employment application and verified statement and that he had not reviewed the documents before they were filed. *See supra* ¶ 4(20). Pursuant to D.C. Rule 8.5(b) (choice of law), we apply Virginia Rule 8.4(c) because this misconduct took place in connection with a matter pending before the United States Bankruptcy Court for the Eastern District of Virginia. *See supra* ¶ 4(16)-(17). Virginia's version of Rule 8.4(c) prohibits "conduct involving dishonesty, fraud, deceit or misrepresentation which reflects adversely on the lawyer's fitness to practice law." We conclude that Respondent's dishonest statements to the Bankruptcy Court about his involvement in the *Kebede* case was dishonesty that reflected adversely on Respondent's fitness to practice law.

The Petition also states that Respondent violated D.C. Rule of Professional Conduct 8.4(d) (prohibiting the serious interference with the administration of justice), and/or the counterpart Rules in Virginia and/or Maryland. The evidence supports Respondent's admission that he violated D.C. Rule 8.4(d) and its Maryland counterpart (prohibiting conduct that is prejudicial to the administration of justice) because his impermissible fee-splitting arrangement with Tranzon resulted in unnecessary proceedings, including a hearing on a show cause order before the

United States Bankruptcy Court for the District of Columbia and a referral to the bankruptcy judges in Maryland. *See supra* ¶ 4(26)-(31).

C. The Agreed-Upon Sanction Is Justified.

The third factor the Hearing Committee must consider is whether the sanction agreed upon is justified. *See* D.C. Bar R. XI, § 12.1(c); Board Rule 17.5(a)(iii) (explaining that hearing committees should consider "the record as a whole, including the nature of the misconduct, any charges or investigations that Disciplinary Counsel has agreed not to pursue, the strengths or weaknesses of Disciplinary Counsel's evidence, any circumstances in aggravation and mitigation (including respondent's cooperation with Disciplinary Counsel and acceptance of responsibility), and relevant precedent"); *In re Johnson*, 984 A.2d 176, 181 (D.C. 2009) (per curiam) (providing that a negotiated sanction may not be "unduly lenient"). Based on the record as a whole, including the stipulated circumstances in mitigation, the Hearing Committee Chair's in camera review of Disciplinary Counsel's investigative file and ex parte discussion with Disciplinary Counsel, and the Committee's review of relevant precedent, the Hearing Committee concludes that the agreed-upon sanction is justified and not unduly lenient, for the reasons discussed below.

The Hearing Committee is aware that in *In re Tatung*, the Court referred a negotiated disposition to the Board because it appeared that when concluding that the agreed-upon sanction was not unduly lenient, the *Tatung* Hearing Committee may have failed to consider additional Rule violations that were latent in the record.

See Order, *In re Tatung*, D.C. App. No. 25-BG-0069 (Feb. 21, 2025) (requesting the Board's views on the recommended disposition). In this regard, the Hearing Committee has weighed information gathered in the Chair's ex parte communications with Disciplinary Counsel and the Chair's in camera review of Disciplinary Counsel's files and records; this information is summarized in the attached Confidential Appendix. The Hearing Committee finds, on the basis of the information set out in the Confidential Appendix, that Disciplinary Counsel considered all possible charges that could be presented by the facts, that Disciplinary Counsel's decisions regarding which charges to bring and not bring were sound and reasonable, and that Disciplinary Counsel carried out a thorough investigation in coming to its conclusions. *See In re Teitelbaum*, 303 A.3d 52, 57 (D.C. 2023) ("Negotiated discipline may generally omit to charge a violation if, after reasonable factual investigation, there is a substantial risk that [Disciplinary Counsel] would not be able to establish the violation by clear and convincing evidence.").

The Hearing Committee has also reviewed the agreed-upon sanction in comparison with the sanctions imposed in contested cases involving similar misconduct. Cases involving violations of Rule 8.4(c) (prohibiting conduct involving dishonesty, deceit or misrepresentation) and 8.4(d) (conduct seriously interfering with the administration of justice) tend to receive sanctions of shorter suspensions than the one-year suspension agreed upon here when the misconduct is not recurring. *See, e.g.*, *In re Phillips*, 705 A.2d 690 (D.C. 1988) (per curiam) (sixty-day suspension for filing a false and misleading petition in federal court resulting in

criminal contempt); *In re Soininen*, 853 A.2d 712 (D.C. 2004) (six-month suspension for filing and failing to correct misrepresentations indicating the respondent was a member in good standing while under interim suspension and the unauthorized practice of law during that period); *In re Reback*, 513 A.2d 226 (D.C. 1986) (en banc) (six-month suspension for neglect and falsely signing, notarizing, and filing a verified complaint).

Misconduct that recurs and/or involves knowing false statements tends to result in longer periods of suspension. *See In re Tun*, 195 A.3d 65 (D.C. 2018) (one-year suspension for intentional misrepresentations in a motion to recuse and intentional false testimony to the hearing committee, where the respondent's previous suspension for dishonest filings was a significant aggravating factor); *In re Hutchison*, 534 A.2d 919 (D.C. 1987) (en banc) (one-year suspension for testifying falsely before the SEC on two occasions before hiring counsel and correcting the false statements); *In re Thompson*, 538 A.2d 247 (D.C. 1987) (per curiam) (one-year suspension for knowingly assisting a client in making false statements in an immigration application).

A suspension of one year is not unduly lenient, and may be near the higher end of the sanction that might be imposed if this matter were litigated in a contested case, as reflected in the above-cited cases. The sanction thus reflects the misconduct charged, and also takes into account the charges not pursued, as discussed in the Confidential Appendix hereto. *See also supra* ¶ 6 (discussing misconduct not charged in this Petition).

The sanction takes into account the following aggravating factor: Respondent received a thirty-day suspension in 1995 for commingling and failing to promptly notify and pay a third party with an interest in the settlement funds, *Ross*, 658 A.2d 209.

The sanction also takes into account the following mitigating factors: (1) Respondent has disgorged the fees that Tranzon paid him in the D.C. and Virginia cases and has entered into an agreement with the U.S. Trustee to disgorge fees in one of the Maryland cases; (2) Respondent resigned his position as a panel trustee and assisted in completing the remaining cases in which he was involved; (3) Respondent has cooperated in Disciplinary Counsel's investigation, including by meeting with Disciplinary Counsel to answer questions; and (4) Respondent is accepting responsibility by entering into this Petition. *See supra* ¶ 14. The Hearing Committee considered Respondent's acceptance of responsibility, his disgorgement of fees stemming from his relationship with Tranzon, and his resignation of his position as panel trustee to be important mitigating factors in weighing the appropriate severity of the sanction.

IV. CONCLUSION AND RECOMMENDATION

For the reasons stated above, it is the recommendation of this Hearing Committee that the negotiated discipline be approved and that the Court suspend Respondent from the practice of law for one year.

AD HOC HEARING COMMITTEE

Christina Biebesheimer

Christina Biebesheimer
Chair

Lisa M. Harger

Lisa Harger
Public Member

Elizabeth Greenidge

Elizabeth Greenidge
Attorney Member