

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

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DANA A. PAUL, ESQUIRE,	:	Disciplinary Docket No. 2019-D199
	:	
Respondent	:	
	:	
Member of the Bar of the District of:		
Columbia Court of Appeals	:	
Bar Number: 490142	:	
Date of Admission: Nov. 12, 2004	:	
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**SPECIFICATION OF CHARGES**

The disciplinary proceedings instituted by this petition are based upon conduct that violates the standards governing the practice of law in the District of Columbia as prescribed by D.C. Bar Rule X and D.C. Bar Rule XI, § 2(b).

Jurisdiction for this disciplinary proceeding is prescribed by D.C. Bar Rule XI. Pursuant to D.C. Bar Rule XI, § 1(a), jurisdiction is found because:

1. Respondent Dana A. Paul is a member of the Bar of the District of Columbia Court of Appeals, having been admitted on November 12, 2004 and assigned Bar number 490142.

The conduct and standards that Respondent has violated are as follows:

2. By letter dated April 19, 2018, N.E., a member of the D.C. Bar, and her

husband filed a complaint with the Maryland Attorney Grievance Commission and Office of Disciplinary Counsel for the District of Columbia.

3. The complaint alleged that Respondent had mishandled litigation in which he was representing N.E. and her husband. The litigation arose from a failed real estate transaction.

4. By letter dated May 4, 2018, Disciplinary Counsel forwarded the complaint to Respondent and asked him to provide a written response.

5. By letter dated May 8, 2018, Respondent provided a written response. He did not address the merits of the complaint against him, contending that because the underlying litigation was brought in Maryland, and a complaint had also been made to the Maryland disciplinary authority, "I do not wish to confer jurisdiction on your office by responding to her complaints." His letter did, however, make a number of *ad hominem* statements against N.E., including that he had no doubt she would commit perjury at her trial in the underlying matter, that she suffers from severe emotional issues, and that she is not mentally competent to be a member of the bar.

6. By letter dated August 13, 2018, Respondent filed his own bar complaint against his former client N.E. This was a new complaint and was not filed in defense of the complaint brought by N.E. and her husband, which Respondent had refused to address on the merits. In the complaint, he accused N.E. and her husband

of engaging in conduct in the litigation in which he had represented them that would be illegal under Maryland law. He provided what he alleged were documents that had been provided to him by his former clients. He also stated his belief that his former clients had engaged in additional illegal conduct against himself and said that if he had proof, he would refer her to a Maryland prosecutor.

7. In his letter of August 13, 2018, Respondent also alleged that N.E. had committed misconduct in another case in which he had represented her. He claimed that she had sought to alter a settlement agreement without disclosing the changes to him or to the opposing side.

8. After Ms. N.E., through counsel, had denied the allegations made in the August 13, 2018 letter, in a letter dated October 10, 2018, Respondent accused her of “flat-out lying.” He reiterated the charges in the August 13 letter, alleged that N.E. was “not fit to practice law” and “a dishonest person who should not be practicing law.” He stated, “I am only filing this grievance because of the grievance [N.E.] filed against me.”

9. Respondent’s conduct violated the following District of Columbia Rules of Professional Responsibility;

a. Rule 1.6 in that he revealed either privileged information, i.e., a confidence, or a secret of his former clients, Ms. N.E. and her husband, disclosure of which would be embarrassing or would likely be detrimental to them, when it was

not reasonably necessary to do so to establish a defense to a disciplinary charge or to respond to an allegation concerning his representation of N.E. and her husband; and

b. Rule 8.4(d), in that he engaged in conduct that seriously interferes with the administration of justice by retaliating against a former client who had filed a complaint against him with the Office of Disciplinary Counsel.

Respectfully submitted,

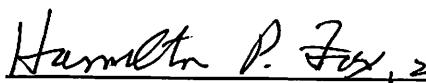


Hamilton P. Fox, III  
Disciplinary Counsel

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### **VERIFICATION**

I do affirm that I verily believe the facts stated in the Specification of Charges to be true.



Hamilton P. Fox, III  
Disciplinary Counsel

Subscribed and affirmed before me in the District of Columbia this 12<sup>th</sup>  
day of September, 2019.

My Commission Expires:



12/14/2023

  
Notary Public

