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## Table of Contents

### COURT OF APPEALS

Attorneys	
Discipline	
Attorney Grievance v. Ugwuonye . . . . .	2
Contract Law	
Indemnity	
Nova v. Penske . . . . .	7
Criminal Law	
Evidence	
State v. Westpoint . . . . .	9
Fifth Amendment	
Long v. State . . . . .	11
ATTORNEY DISCIPLINE . . . . .	14

# COURT OF APPEALS

ATTORNEYS - DISCIPLINE - MARYLAND RULES OF PROFESSIONAL CONDUCT ("MRPC"): 1.1 (COMPETENCE), 1.2 (SCOPE OF REPRESENTATION AND ALLOCATION OF AUTHORITY BETWEEN CLIENT AND LAWYER), 1.3 (DILIGENCE), 1.4 (COMMUNICATION), 1.5 (FEES), 1.15 (SAFEKEEPING PROPERTY), 1.16(d) (DECLINING OR TERMINATING REPRESENTATION), 8.4(d) (MISCONDUCT).

Facts: The Attorney Grievance Commission of Maryland, acting through Bar Counsel, filed a Petition for Disciplinary or Remedial Action against Ephraim Ugwuonye charging him with violations arising out of his representation of two former clients. The first set of alleged violations arose from his representation of Hassan Abdul-Rahim, Jr. in an employment discrimination matter. In that case, Respondent was charged with violation of MRPC 1.1 (Competence), 1.3 (Diligence), 1.4 (Communication), 1.16 (d) (Declining or Terminating Representation), and 8.4 (d) (Misconduct). Respondent was charged with violating Rules 1.1 (Competence), 1.2 (Scope of Representation and Allocation of Authority Between Client and Lawyer), 1.3 (Diligence), 1.4 (Communication), 1.5 (Fees), 1.15 (Safekeeping Property), 1.16(d) (Declining or Terminating Representation), and 8.4(d) (Misconduct), as well as Maryland Rule 16-604 and § 10-304 of the Business Occupations and Professions Article of the Maryland Code, in the course of representing Michael Etheridge regarding a claim for monetary damages against Montgomery County Crime Solvers for supposed information sharing regarding certain high profile malfeasants.

The hearing judge in the Circuit Court for Montgomery County conducted an evidentiary hearing and rendered findings of fact and recommendations for conclusions of law regarding the alleged violations. As to the complaint of Hassan Abdul-Rahim, Jr., it was determined that Respondent was retained in December of 2004 to represent Rahim regarding a claim for employment discrimination. The U.S. Equal Employment Opportunity Commission ("EEOC") issued a right to sue letter. Rahim gave this letter to Respondent and requested that Respondent file suit on his behalf. Respondent contended that Rahim understood that he would take no further action in his case after filing the suit and that he communicated this limitation in a letter. Rahim contended that Respondent was to serve as his counsel throughout the case, and that he never received a letter from the Respondent communicating anything differently.

The suit was filed by an associate of Respondent's, but over

Respondent's signature. Despite notice from the court that he needed to file proof of service of the summons and complaint by a certain date, Respondent took no action. On 25 April 2006, Rahim's complainant's case was dismissed, without prejudice, as a result of the failure to serve the defendant. Although the case was dismissed without prejudice, the effect of the dismissal was to forever bar Rahim from bringing his suit again because pursuant to 42 U.S.C. §2000e-5(f)(1) and 42 U.S.C. §12117, such suits must be filed within ninety days of the issuance of a right to sue letter.

Rahim made several attempts, but failed to elicit a response from Respondent, so he sent a letter terminating Ugwuonye's services and asking him to have the client file ready for pick-up on 23 June 2006. On 20 June 2006, Respondent sent a letter to Rahim conveying an offer for \$5,600 from the employer's carrier to settle the employment discrimination claim. Two days later, on 22 June 2006, Rahim sent a reply to Respondent commanding that he cease and desist all actions on his behalf. The letter stated that Rahim previously had been notified of, and rejected, the settlement offer and expressed doubt as to the authenticity of the current settlement offer. The doubts stemmed from Respondent's continued failure to communicate and his neglect of the case.

Based on the finding of facts with respect to the complaint of Hassan Abdul-Rahim, the hearing judge concluded that Respondent violated MRPC 1.1 (Competence), 1.3 (Diligence), 1.4 (Communication), 1.16 (d) (Declining or Terminating Representation), and 8.4 (d) (Misconduct).

As to the complaint of Michael Etheridge, the Circuit Court found that Etheridge, in proper person, had filed suit against Montgomery County Crime Solvers alleging that he was entitled to \$500,000 as a reward for information that he provided concerning the Montgomery County Snipers and that he had information as to the whereabouts of Saddam Hussein and had relayed this to Montgomery County Crime Solvers. He further alleged in the complaint that, because he was unsure of whether Montgomery County Crime Solvers would pay him for what information he had regarding Hussein (based on its previous refusal to pay \$500,000 for the information regarding the Snipers), he wanted \$12,500,000 in advance of supplying the information and another \$12,500,000 upon the arrest of Saddam Hussein. On 22 December 2005, Montgomery County Crime Solvers filed a motion to dismiss Etheridge's complaint. The motion was granted.

Frustrated by his inability to advance his claims for reward, Etheridge sought legal advice and representation.

Etheridge originally was referred by a pro bono agency to an experienced attorney, Marvin Perlis. Perlis declined to take the case and referred Etheridge instead to Respondent. The record is silent as to whether Ugwuonye conferred with Perlis prior to accepting Etheridge as a client. Etheridge signed a retainer for services to be rendered agreeing to pay a non-refundable deposit of \$3,500 as a minimum fee, and legal fees of 33% of all recovery based on a successful trial, or 45% if case was lost and Etheridge sought an appeal. The agreement also provided that if Etheridge terminated Respondent's services prior to settlement of the claim or prior to judgment in court, the contingency nature of the retainer would cease to apply and Respondent would compute professional fees on the basis of \$250 per hour for Respondent and \$100 per hour for Respondent's paralegal.

At the time of the signing of the retainer, Etheridge gave Respondent a cashier's check for \$3,500. Respondent dispatched Leslie Riehm, his office manager at the time, to the Circuit Court to obtain information on the case filed by Etheridge. In addition to retrieving documents from the court house, Ms. Riehm also testified that she assisted Respondent in identifying websites and other relevant information for Respondent to review. As part of the research, Respondent attempted to locate and identify other instances where people had provided information to programs where awards had been offered and whether Montgomery County Crime Solvers had been involved in paying any citizens for information received.

After a preliminary review of Etheridge's claims as advanced in his unsuccessful lawsuit, Respondent determined that there was little, if any, likelihood that the trial court's judgment could be overturned. Nonetheless, Respondent accepted and deposited the \$3,500 check given to him by Etheridge into his operating account on either the 10<sup>th</sup> or 11<sup>th</sup> June 2006. Etheridge urged Respondent to look further into his claims. Testimony revealed that there were telephone conversations between Respondent, Riehm, and Etheridge in which Respondent advised Etheridge that his claims against Montgomery County Crime Solvers were not viable and that Respondent intended to remove himself from the case. Respondent did not file an appeal from the Circuit Court's judgment in Etheridge's case or seek reconsideration. Respondent eventually concluded that Etheridge's only recourse might be in the event that Saddam Hussein was captured, but Ugwuonye took no action on Etheridge's behalf in that regard either.

Respondent made no refund to Etheridge of any part of the \$3,500 retainer. On 8 June 2006, Etheridge filed a complaint against Ugwuonye with the Attorney Grievance Commission.

Based on the finding of facts with respect to the complaint of Michael Etheridge, the hearing judge concluded that the Respondent violated MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16(d), 8.4 (d).

Respondent filed exceptions to the findings and conclusions expressed by the hearing judge with regard to his representation of Etheridge only. Respondent excepted to the findings and conclusions of the hearing judge relative to the violation of MRPC 1.1, contending that he was not in violation of the Maryland Rules of Professional Conduct when he agreed to undertake representation of Etheridge regarding his claim against the Montgomery County Crime Solvers. Respondent contended that although the account of the factual bases provided by Etheridge for his claims were both "fantastic" and "bizarre," there was no independent basis for automatically dismissing the claims and declining the representation.

Respondent also took exception to the findings and conclusions of the hearing judge relative to the violation of MRPC 1.15, 1.5, and 1.16(d). Respondent contended that he expended over twenty hours investigating Etheridge's claims and that application of his hourly billing rate alone exceeded the \$3,500 retainer. Thus, Ugwuonye contended that he rightfully utilized and deposited the retainer into his operating account and that Etheridge was not due any refund.

Held: 90 Day Suspension. The Court overruled Respondent's exceptions. With regard to Respondent's challenge to the determined violation of MRPC 1.1 for failing to decline a case without patent merit the Court observed that the hearing judge concluded that, after ascertaining the fantastic bases of Etheridge's claims, competent counsel would have declined representation immediately. The judge observed that not only had undertaking representation of Etheridge regarding his claims against Montgomery County Crime Solvers previously been declined by another attorney, but the Circuit Court for Montgomery County had granted summary judgment against Etheridge in his earlier litigation of those claims. Both of these facts were known to Ugwuonye before he accepted Etheridge as a client. The Court determined that, taken together, these facts constitute clear and convincing evidence to support a conclusion that Respondent violated MRPC 1.1.

The Court next examined Respondent's challenge to the determined violations of MRPC 1.15, 1.5, and 1.16. Respondent made a general contention that he was not in violation of these rules because he expended over twenty hours investigating Etheridge's claims, as well as attempting to identify other

possible sources of reward monies. As to MRPC 1.15, the Court determined that, although Respondent in the present case argued that he rightfully earned Etheridge's retainer fee, this did not excuse the fact that Respondent initially failed to deposit the retainer into a client trust or escrow account when the fee was unearned at the time it was received, especially in view of Ugwuonye's contention that Riehm's time did not figure in computing the amount earned. As to MRPC 1.5, Respondent contended that the amount of time he expended in researching Etheridge's claims exceeded the \$3,500.00 retainer; thus, the fee was reasonable and rightfully utilized and deposited into his personal account. The Court overruled this exception, finding that, given the patently meritless nature of Etheridge's claims and the fact that Respondent accepted \$3,500 and failed to perform meaningful services, the evidence was sufficient to support a violation. Finally, with regard to MRPC 1.16 (d), Ugwuonye inferred that he was not under an obligation to return any part of the retainer upon termination of the representation. The Court overruled this exception finding that because Respondent demonstrated a lack of competence by failing to decline the representation, he was not at liberty to accept money from Etheridge for the representation. Any money he received with regard to representing Etheridge in his claims against Montgomery County Crime Solvers was unearned. Thus, Respondent was in violation of MRPC 1.16 (d) when he failed to return the retainer ("unearned" money) when the representation was terminated.

The Court adopted the hearing judge's finding of fact and conclusions of law as to Respondent's violation of MRPC 1.1, 1.3, 1.4, and 8.4 with respect to his representation of Abdul-Rahim. The Court concluded, with regard to his representation of Etheridge, that Respondent violated MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16(d), and 8.4(d). In determining the proper sanction, the Court noted that the evidence presented before the hearing judge did not support the notion that Respondent harbored dishonest or deceitful motives in his representation of either client. The facts did suggest, however, that Respondent was negligent in following procedure failed to represent diligently his clients, and failed to communicate with his clients. The Court noted that Respondent made many remedial measures and procedures after the filing of the complaints that lead to the present case. Given that Ugwuonye did not act with dishonest, deceitful, or fraudulent intent, lacked a prior disciplinary record, made efforts after-the-fact to ameliorate the circumstances that led to a number of his violations of the Maryland Rules of Professional Conduct, and was cooperative with Bar Counsel throughout its investigations, the Court concluded that Respondent should be suspended from the practice of law for

ninety days.

*Attorney Grievance Commission v. Ephraim Ugwuonye*, Misc. No. 8, September Term, 2007, filed 24 July 2008, Opinion by Harrell, J.

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CONTRACTS - INDEMNITY - CONTRACT INTERPRETATION - ATTORNEY'S FEES

Facts: This case presents the question of whether a contract provision for indemnification includes first party attorney's fees, where the contract language does not provide expressly for the recovery of attorney's fees.

Petitioner Nova contracted to rent a tractor and trailer from respondent Penske, under two identical rental agreements. The agreements obligated Penske to provide liability protection in the form of supplemental liability insurance. In turn, Nova was to indemnify Penske as follows:

"Customer shall: (A) indemnify, and hold harmless Penske, its partners, and their respective agents, servants and employees, from and against all loss, liability and expense caused or arising out of Customer's failure to comply with the terms of this Agreement."

The rental vehicle was involved in an accident in Texas, where both vehicles involved were destroyed and both drivers killed. Penske filed a request for declaratory relief against Nova and its insurer, Fireman's Insurance, in the Circuit Court for Prince George's County, Maryland, arguing that Nova had breached the agreements and was obligated to indemnify Penske for any expenses incurred as a result of the accident.

The Circuit Court granted summary judgment in favor of Penske, finding that Nova had breached the rental agreement and thus Penske was entitled to indemnification. The court subsequently denied Penske's motion for costs and expenses, however, which included cleanup costs and remediation in Texas,

attorney's fees accrued in a declaratory judgment action filed by Fireman's Insurance in Texas prior to its dismissal for forum non conveniens, and first party attorney's fees in the present action. Nova noted a timely appeal to the Court of Special Appeals on the issue of summary judgment, and Penske filed a cross-appeal on the denial of its application for costs and expenses.

The Court of Special Appeals affirmed the declaratory judgment, but vacated the denial of the application for costs and expenses and remanded on that point. The Circuit Court again denied all costs and expenses on remand. Penske appealed, and the Court of Special Appeals reversed, granting Penske all costs and expenses.

The Court of Appeals granted Nova's petition for writ of certiorari. Nova argued that first party attorney's fees should not be granted, and that the applications for costs and expenses were not timely filed.

Held: Affirmed. The Court of Appeals held that Penske was not entitled to first party attorney's fees accrued in the enforcement action against Nova, but that otherwise the applications for costs and expenses were timely filed.

The Court of Appeals held that a contractual indemnification provision must expressly call for indemnity to include the right to first party attorney's fees, incurred in establishing the right to indemnity, in order to overcome the American Rule. The generally accepted rule, among the majority of states, requires a contract provision to expressly include fee recovery in establishing the right to indemnity.

Finally, the Court of Appeals noted that Penske's application for costs and expenses was proper under Maryland's Declaratory Judgment Act, Md. Code (1974, 2006 Repl. Vol.), § 3-412 of the Courts and Judicial Proceedings Article, which allows for further relief in declaratory judgment actions where necessary or proper.

*Nova Research Inc., et al. v. Penske Truck Leasing Co., L.P.*, No. 68, September Term, 2007, filed July 25, 2008. Opinion by Raker, J.

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CRIMINAL LAW - EVIDENCE - IMPEACHMENT BY PRIOR CONVICTION - PRIOR CRIMES, WRONGS OR ACTS

Facts: Respondent, Christopher Overbee Westpoint, was indicted for various sexual offenses that allegedly occurred on March 7th, 8th, 11th and 16th, 2005. The victim of the sexual offenses was alleged to be Westpoint's twelve-year-old daughter. Prior to trial, the State filed a motion *in limine* in support of the admission of other crimes, wrongs or acts evidence pursuant to Rule 5-404 (b), specifically that Westpoint had committed a similar third degree sexual offense against his daughter in November of 2001, to which he pled guilty. The trial judge admitted the other crimes, wrongs or acts evidence, substantively, to prove Westpoint's intent. At trial, Westpoint's daughter, the alleged victim, took the witness stand and testified about the incidents on March 7th and 16th, but she could not remember what, if anything, occurred on March 8th or 11th, 2005. She also testified about the incident in November of 2001. Westpoint subsequently testified and on cross-examination, the State sought to impeach Westpoint with his 2002 prior conviction for third degree sexual offense arising from the 2001 incident, arguing that the conviction was admissible under Rule 5-609 because it was for a crime relevant to credibility. Westpoint objected. The judge ruled that the prior conviction evidence was admissible for impeachment. After being instructed, the jury deliberated and found Westpoint not guilty of the charges regarding March 7, 2005, but found him guilty of the charges stemming from the March 16th incident.

Westpoint noted an appeal to the Court of Special Appeals, which in an unreported opinion, vacated the judgment of the Circuit Court and remanded the case for a new trial. Addressing the question of whether evidence of a conviction for a third degree sexual offense is admissible for impeachment under Rule 5-609, the intermediate appellate court opined that the conviction was not relevant to credibility and thus inadmissible for impeachment purposes. The Court of Appeals granted both the State's Petition for Certiorari and Westpoint's Conditional Cross-Petition. *State v. Westpoint*, 401 Md. 172, 931 A.2d 1095 (2007).

Held: The Court of Appeals affirmed the judgment of the Court of Special Appeals and held that a prior conviction for a third degree sexual offense is not admissible for purposes of impeachment, and that the trial judge's admission into evidence of Westpoint's prior conviction was not harmless error. In reaching the conclusion that the prior conviction was not admissible for purposes of impeachment, the Court first noted that, in order for a crime to be admissible for impeachment, the

crime itself, by its elements, must clearly identify the prior conduct of the witness that tends to show that he is unworthy of belief. The Court determined that Westpoint's prior conviction of a third degree sexual offense in violation of Section 3-307 of the Criminal Law Article, Maryland Code (2002), does not, per se, connote that he would be more likely to lie under oath, and therefore, is not relevant to credibility. The Court then concluded that the trial judge's admission of the evidence was not harmless error because the Court could not say beyond a reasonable doubt that the admission of Westpoint's prior conviction did not affect the jury's finding of guilt.

For guidance on remand, the Court analyzed the other bad acts issue raised by Westpoint, because the subject is likely to arise again, and noted that the evidence regarding the 2001 acts which was admitted into evidence fell within the "sexual propensity" exception because the acts were similar and the victim the same, and thus, was admissible.

State of Maryland v. Christopher Overbee Westpoint, No. 60, September Term, 2007, filed May 8, 2007. Opinion by Battaglia, J.

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CRIMINAL LAW - FIFTH AMENDMENT - DOUBLE JEOPARDY - MARYLAND CONTINUES TO FOLLOW THE "SAME EVIDENCE," OR BLOCKBURGER TEST, TO DETERMINE WHETHER SUBSEQUENT PROSECUTIONS ARE BARRED UNDER THE FIFTH AMENDMENT PROHIBITION AGAINST DOUBLE JEOPARDY.

CRIMINAL LAW - FIFTH AMENDMENT - COLLATERAL ESTOPPEL - IN DETERMINING WHETHER COLLATERAL ESTOPPEL PRECLUDES THE PROSECUTION OF LATER CHARGES, THE COURT EXAMINES WHETHER THE ISSUE(S) OF ULTIMATE FACT IN DISPUTE HAS BEEN PREVIOUSLY DETERMINED BY A VALID AND FINAL JUDGMENT. THE PARTY ASSERTING ESTOPPEL BEARS THE BURDEN OF PROOF.

Facts: On the afternoon of 28 December 2006, Colonel Preston Long, Appellee, was a passenger in an automobile driven by his fiancé, Iretha Spriggs. Prince George's County police

claimed that they witnessed the vehicle make an illegal U-turn and "pursued" the car with the intention of conducting a traffic stop. Before the police car could affect this intention, Spriggs and Long arrived at their home, located in Landover, Maryland. After parking the car in front of the home, Long, Spriggs, and their children (also passengers) exited the car and entered the house, all before the officers arrived from their "pursuit."

Shortly thereafter police arrived on the scene, parked in front of the home, and approached the now unoccupied vehicle. The officers testified that they smelled marijuana emanating from the interior of the car through its open windows. An officer searched the unlocked vehicle. During the search of the vehicle, a vial of Phencyclidine (PCP) was discovered underneath or near one of the car's rear seats, where the children had been sitting.

Long was arrested outside of the residence after, according to the officers, he displayed disorderly conduct. Soon thereafter, Spriggs also was arrested after she came to the door of the house. Police, from the vantage point of the porch of the residence and through an open front door, observed, in an aquarium inside of the house, two alligators and a turtle. The reptiles appeared to the police to have been malnourished and neglected. Police then obtained and executed a search warrant for the residence (the legality of which the District and Circuit Court have yet to determine). Once inside the residence, police seized two unregistered hand guns, a sawed-off shot gun, ammunition for the weapons, a flack jacket, and drug paraphernalia.

On 5 April 2007, Long was tried in the District Court of Maryland, sitting in Prince George's County, based on a statement of charges (Case No. E00324177), on two counts of possession of PCP with the intent to distribute, one count of possession of drugs (not marijuana), one count of disorderly conduct, and three neglect and cruelty to animals charges, which stemmed from the search of the vehicle and what the police saw inside the home from the front stoop). The State dismissed the abuse and cruelty to animals charges against Long at the beginning of the hearing. Subsequently, he was acquitted of the remaining charges.

In a second case brought in the District Court (Case No. E00324184), the State, by a statement of charges, charged Long with crimes related to the items seized in the execution of the search warrant inside the residence. Those charges ultimately were *not* pressed by the State in the District Court.

On 12 April 2007, after the *nolle prosequi*, the State filed an indictment in the Circuit Court for Prince George's County,

charging Long with three counts of possession of a regulated firearm after having been convicted of a disqualifying crime, possession of a short-barreled shotgun, possession of bulletproof body armor having previously been convicted of a crime of violence or drug trafficking crime, and possession of drug paraphernalia. A motion to suppress the evidence, stemming from the search of the residence, and a motion to dismiss the indictment, as violative of the prohibition against double jeopardy, were filed by Long in the Circuit Court.

The Circuit Court granted Long's motion to dismiss the indictment and indicated that it was unnecessary, therefore, for the court to address the suppression motion. The hearing judge concluded that the State violated double jeopardy principles because the State's Attorney could have consolidated all of the charges arising from the events of 28 December 2006 in the first District Court case, but failed to do so. The hearing judge stated that he believed that the State could not separate the charges and remarked that the State gets "one trial" in which to bring all of the charges against Long.

The State filed a timely appeal to the Court of Special Appeals. The Court of Appeals, on its initiative, issued a writ of certiorari, before the intermediate appellate court could hear and decide the appeal.

Held: Reversed. The Court of Appeals held that the State was not barred by double jeopardy or collateral estoppel from prosecuting Long for crimes that stemmed from the search of the residence.

The Court rejected Long's first argument that the Circuit Court correctly granted his motion to dismiss the State's indictment based on the theory that it violated principles of double jeopardy. Long argued that because the previously determined charges in District Court, and those contained in the Circuit Court indictment, stemmed from a "single event," and thus he should not be made to defend the charges "piecemeal" in successive prosecutions. The Court found that Long, and the hearing judge, appeared to have incorrectly applied relevant law under prevailing double jeopardy analysis. The Court reiterated that Maryland continues to follow the well-established "same evidence" test (or *Blockburger* test) for determining whether subsequent prosecutions are barred under the Fifth Amendment's prohibition against double jeopardy. The Circuit Court charges encompassed separate and distinct offenses, and the evidence offered by the State in the District Court on the charges tried there, was unrelated to the evidence that will be required for determination of the charges in the Circuit Court indictment.

Thus, the Court concluded that application of the same evidence test demonstrated that the Circuit Court erred in determining that double jeopardy precluded the prosecution of the charges in the Circuit Court indictment.

The Court also rejected Long's second argument that the State was collaterally estopped from prosecuting the charges contained in the Circuit Court indictment against him, in light of the District Court's acquittal of him on the charges in the first proceeding, as well as the finding that the police officers conducted a warrantless search of the vehicle. The Court noted that in considering the proper invocation of the principles of collateral estoppel, the critical question to ask is "whether an issue of ultimate fact has been previously determined in favor of the defendant." The Court concluded that the offenses charged by the indictment in the Circuit Court, pursuant to the search warrant executed on the residence, do not in any way subject Long to relitigation of any material fact adjudicated during the trial leading to his acquittal on the charges in the District Court case. Furthermore, the Court noted that the offenses which gave rise to the Circuit Court indictment occurred in a separate location from where the first charged offenses occurred. The District and Circuit Court had not, as yet, determined the legality of the search of the residence. Thus, the State was not precluded by principles of collateral estoppel from prosecuting the subsequently indicted charges in Circuit Court.

*Long v. State*, No. 142, September Term, 2007, filed 25 August, 2008. Opinion by Harrell, J.

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# ATTORNEY DISCIPLINE

By an Order of the Court of Appeals of Maryland dated May 27, 2008, the following attorney has been suspended for thirty (30) days by consent effective August 1, 2008, from the further practice of law in this State:

DANIEL HOWARD GREEN

\*

By an Order of the Court of Appeals of Maryland dated August 8, 2008, the following attorney has been indefinitely suspended by consent from the further practice of law in this State:

SALADIN ERIC SHAKIR

\*

By an Order of the Court of Appeals of Maryland dated August 13, 2008, the following attorney has been indefinitely suspended by consent from the further practice of law in this State:

PETER DANIEL FARRIS

\*

By an Order of the Court of Appeals of Maryland dated August 13, 2008, the following attorney has been disbarred by consent, effective immediately, from the further practice of law in this State:

BRIAN K. FORD

\*

By and Order of the Court of Appeals of Maryland dated August 14, 2008, the following attorney has been disbarred by consent, effective immediately, from the further practice of law in this State:

YALONDA MICHELLE DOUGLAS

\*

By an Order of the Court of Appeals of Maryland dated August 18, 2008, the following attorney has been disbarred by consent from the further practice of law in this State:

DAVID ALEXANDER, JR.

\*

The following attorney has been replaced upon the register of attorneys in the Court of Appeals of Maryland effective August 21, 2008:

CHARLES JAY ZUCKERMAN

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