

UTAH STATE BAR COMMISSION MEETING
Friday, January 28, 2022

ZOOM: <https://us02web.zoom.us/j/87374640496>

Meeting ID: 873 7464 0496

Mobile: +1 669 900 6833

AGENDA

1. 9:00 a.m. President's Report: Heather Thuet

- | | | | |
|-----------------|-----|--|--|
| <i>03 Mins.</i> | 1.1 | Report on Meeting with Governor Cox | |
| <i>05 Mins.</i> | 1.2 | 2022 Spring Convention will be Remote | |
| <i>02 Mins.</i> | 1.4 | 2022 Summer Convention - Coronado Room Reservations Reminder | |
| <i>02 Mins.</i> | 1.5 | Bar Elections Information – Petitions Due February 1 | |

2. 9:15 a.m. Action Items

- | | | | |
|-----------------|-----|---|-------------------------|
| <i>05 Mins.</i> | 2.1 | Nominate Bar President-Elect Candidate | (Tab 1, Page 3) |
| <i>15 Mins.</i> | 2.2 | Approval of UPL Action in District Court:
Maribeth LeHoux, Chair, UPL Committee
and Nancy Sylvester | (Tab 2, Page 7) |
| <i>10 Mins.</i> | 2.3 | Select Dorathy Merrill Brothers Award Recipient:
Katie Woods | (Tab 3, Page 49) |
| <i>10 Mins.</i> | 2.4 | Select Raymond Uno Award Recipient:
Katie Woods | (Tab 4, Page 53) |
| <i>02 Mins</i> | 2.5 | Appoint Judge Patrick Corum Modest Means
Committee Co-chair | |
| <i>05 Mins.</i> | 2.6 | Approve Leadership Academy Class for 2022 | (Tab 5, Page 60) |

3. 10:00 a.m. Information Items

- | | | | |
|-----------------|-----|---|--|
| <i>03 Mins.</i> | 3.1 | Disbarred Attorney Calvin Curtis and Fund for
Client Protection: Elizabeth Wright | |
| <i>03 Mins.</i> | 3.1 | Judicial Intern Opportunity Program (JIOP):
Erik Christiansen | |

4. 10:10 a.m. Executive Session

10:30 a.m. Adjourn

CONSENT AGENDA

(Tab 6, Page 62)

(Approved without discussion by policy if no objection is raised.)

1. Approve Minutes of November 18, 2021 Commission Meeting
2. Approve Minutes of December 29, 2021 Commission Meeting

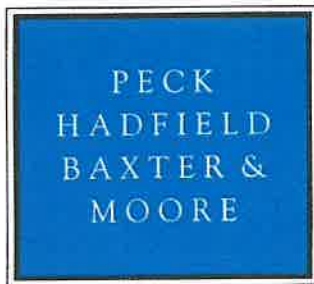
CALENDAR

2022

February 1	Commission Election Petitions Due, each to serve a three-year term. Terms will begin in July 2022. <ul style="list-style-type: none">• One member from the Second Division (Davis, Morgan and Weber Counties),• Two members from the Third Division (Salt Lake, Summit, and Tooele Counties), and• One member from the Fifth Division (Beaver, Iron and Washington Counties)		
March 10-11	Spring Convention		Virtual Event
March 30-April 2	Western States Bar Conference		Hawaii
April 1	Election-Online Balloting Begins		
April 6-7	ABA Day, Washington D.C.		TBD
April 15	Executive Committee	12:00 Noon	Zoom
April 15	Election-Online Balloting Ends		
April 22	Commission Meeting	9:00 a.m.	Zoom
May 26	Executive Committee	12:00 Noon	Zoom
May ?	Admission Ceremony	12:00 Noon	Virtual Event
June 2-4	Jackrabbit Bar in South Dakota		
June 3	Commission Meeting	9:00 a.m.	TBD
June 29	Executive Committee	12:00 Noon	Zoom
July 6-9	Summer Convention at Loews Coronado		San Diego, CA

TAB 1

Shaun L. Peck
 Marty E. Moore
 Bretton K. Hadfield
 Brandon J. Baxter
 Daniel K. Watkins
 Shawn P. Bailey
 Nathan A. Duncan
 Matthew David Lorz
 Loren K. Peck
 D. Cole Fronk



ATTORNEYS

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By email to Elizabeth.Wright@utahbar.org

December 23, 2021

Board of Commissioners of the Utah State Bar
 C/O Elizabeth Wright
 Executive Director
 Utah State Bar
 645 S 200 E
 Salt Lake City, UT 84111

*Re: Nomination of Erik A. Christiansen for President of the Board of Commissioners
 of the Utah State Bar*

Dear Colleagues:

In accordance with Rule of Professional Practice 14-206(b)(1), it is my great privilege and pleasure to nominate Commissioner Erik A. Christiansen, a member of the Utah State Bar in good standing, as a candidate for President of the Board of Commissioners of the Utah State Bar to succeed President-elect Katie Woods. I think Erik will be an exceptional President.

Happy Holidays!!!

Sincerely,

Marty E. Moore
 Commissioner, First District



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Salt Lake City, Utah 84111
Main 801.532.1234
Fax 801.536.6111
parsonsbehle.com

A Professional
Law Corporation

Erik A. Christiansen
801.536.6719
EChristiansen@parsonsbehle.com

December 15, 2021

VIA EMAIL

Utah State Board of Bar Commissioners
&
Executive Director Elizabeth Wright

Re: Candidacy for President-Elect of the Utah State Bar

Dear Utah State Board of Bar Commissioners and Executive Director Elizabeth Wright:

I am putting my proverbial hat in the ring to run for President-Elect of the Utah State Bar. I would be honored to be considered for President Elect. I have very much enjoyed serving as an *ex officio* Bar Commissioner for the last three years and in representing the Utah State Bar in the ABA House of Delegates. I am a big believer in public service and I want to thank each of you for your invaluable service to the Utah State Bar—service that helps safeguard and protect the rule of law, further the interests of justice and increase the diversity in our legal profession.

As you know, while serving as an *ex officio* Bar Commissioner, I have served on the Commission's Public Member Committee, the Commission's Regulatory Reform Committee and on the Commission's Executive Director Search Committee. In each of these roles, I have enjoyed working with each of you and I have very much appreciated the opportunity to learn from each of you. Thank you to each of you for your time, your passion, your energy and your commitment to the Utah State Bar. You each have made the Utah State Bar a better organization and our legal community a better place to practice law.

I have been involved in Bar activities since I was a member of the Executive Committee of the Utah Young Lawyers Division beginning in 1996, and I believe that the work lawyers put into Bar service comes back to you tenfold in terms of friendships, comradery, and professional relationships. Indeed, serving with each of you in service to the Bar has been a great honor, and a tremendous opportunity to work with truly excellent lawyers. I am hopeful that my prior service as the Chair of the Utah State Bar Litigation Section, Chair of the Utah State Bar Securities Section, and Chair of the Utah State Chapter of the Federal Bar Association have helped prepare me to further the needs of the Utah Bar Association.

Utah State Board of Bar Commissioners
Executive Director Elizabeth Wright
December 15, 2021
Page Two

I realize that the Utah Bar will face many challenges in the coming years, but I am hopeful and optimistic that with your help and persistence, we will continue to make the Utah State Bar an enduring institution that furthers the interests of our great and honorable profession.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "E.A. Christiansen", with a long horizontal flourish extending to the right.

Erik A. Christiansen

EAC:cmg

TAB 2

Utah State Bar®

MEMORANDUM

TO: Board of Bar Commissioners

FROM: Maribeth LeHoux and Michael Menssen, Co-Chairs of the Unauthorized Practice of Law Committee, and Nancy Sylvester, Utah State Bar General Counsel

DATE: January 14, 2022

RE: Request for Formal Action in UPL Matter (David Zaplana)

I. REQUEST FOR APPROVAL TO FILE FOR A PERMANENT INJUNCTION PROHIBITING THE PRACTICE OF LAW

The Utah State Bar's Unauthorized Practice of Law Committee requests approval from the Board of Bar Commissioners to initiate formal action against David Zaplana. Mr. Zaplana is doing business as Servicios Paralegales and, as described in Section III below, the committee has received credible evidence that he continues to engage in the unauthorized practice of law despite his having entered into a Cease and Desist Agreement with the committee on January 18, 2021.

II. UPL BACKGROUND INFORMATION

With few exceptions, Utah prohibits the practice of law by those who are either not licensed in the state or have not been admitted to the Sandbox under Standing Order 15. The regulation of the practice of law and rulemaking authority are vested in the Utah Supreme Court by Article VIII, Section 4 of the Utah Constitution. The Supreme Court defined the practice of law in Special Practice Rule 14-802 and adopted

multiple rules governing the unauthorized practice of law (UPL). See, for example, Rule 5.5 of the Utah Rules of Professional Conduct; Rule 14-111 of the Rules Governing the Utah State Bar, and Rule 11-504 of the Rules Governing Lawyer Discipline, Disability, and Sanctions. The Legislature, in turn, adopted Utah Code section 78A-9-103, which prohibits the practice of law without a license unless otherwise provided by law or court rule. The code section empowers the Board of Bar Commissioners to institute any civil action or proceeding to enforce the prohibition. The Supreme Court, in Rule 14-111(a), expounded on this permission as follows:

No person who is not licensed to practice law in Utah as an attorney at law or as a foreign legal consultant or licensed paralegal practitioner may practice or assume to act or hold himself or herself out to the public as a person qualified to practice law or to carry on the calling of an attorney at law in Utah or licensed paralegal practitioner. Such practice, or assumption to act or holding out, by any such unlicensed person will not constitute a crime, **but this prohibition against the practice of law by any such person will be enforced by such civil action or proceedings, including writ, contempt, or injunctive proceedings,** as may be necessary and appropriate, which action or which proceedings the Bar will institute after Board approval.

(Emphasis added.)

Rule 11-504(a) provides that the Office of Professional Conduct (OPC) has the authority to engage persons accused of UPL in the discipline process. OPC has delegated that authority to the Office of General Counsel and, by extension, the Bar's UPL Committee. The UPL Committee is comprised of lawyer and paralegal volunteers who investigate complaints of UPL. Complaints come to the Office of General Counsel through various channels, including the Bar's website, emails, phone calls, and letters. Once the General Counsel's office reviews a UPL complaint, if appearing to be

substantiated, it sends the complaint to the committee for investigation. The committee then recommends 1) no action, 2) a letter of understanding and admonishment or caution, 3) a cease-and-desist agreement, or 4) a formal resolution against the respondent. The committee's recommendation depends on the severity, frequency, and documented evidence of UPL.

III. INVESTIGATION OF MR. ZAPLANA BY UPL COMMITTEE

The committee has been investigating Mr. Zaplana and his business, Servicios Paralegales, since 2017. Servicios Paralegales is purportedly a form completion business, but the committee received several complaints that Mr. Zaplana is holding himself out as a lawyer. Mr. Zaplana is not a lawyer or a licensed paralegal practitioner. And until recently, he was also not working with or being supervised by a lawyer.

On January 18, 2021, Mr. Zaplana signed a Cease-and-Desist Agreement promising that he would not engage in the unauthorized practice of law. A copy of the letter to him and the signed Cease and Desist Agreement are attached as Exhibit A.

After Mr. Zaplana signed the agreement, the committee checked Servicios Paralegales' Facebook page and discovered that it now stated that it was a "division of Poulton Law Group." On January 29, 2021, Servicios Paralegales posted a video in Spanish announcing the business relationship. Edith DeCow, the front desk receptionist at the Utah State Bar, translated the video. In it, Mr. Zaplana announced:

Servicios Paralegales is going to be a division of the Poulton Law Group. The services will be the same, with the same low prices. However, they are going to be supervised by the attorney's firm. This does not mean that there will be an attorney client relationship. Everything will be the same.

A copy of the video, which has since been removed or made private, was located at <https://www.facebook.com/sparalegalesllc/videos/449116309774685>.

The “About” section of the Servicios Paralegales’ Facebook page also stated, in Spanish, that Poulton Law Group’s supervision did not constitute an attorney-client relationship. A screen shot is attached as Exhibit B. Specific posts made similar claims, including one about DACA applications on February 1, 2021, one about divorce filings on May 28, 2021, and one about bankruptcy filings on June 19, 2021. Screen shots of all three examples are attached as Exhibits C, D, and E. Servicios Paralegales’ website on the date of this memo includes a similar attorney-client relationship disclaimer, but advertises that the “Poulton Law Group” provides immigration, divorce, and criminal defense services. <https://www.utparalegalsolutions.com/paralegal-services>.

Committee member Erin Middleton spoke to Mr. Zaplana by phone on April 26, 2021, and he explained his arrangement with Poulton Law Group. Servicios Paralegales is located at the Poulton Law Group office. It continues to see its own clients for bankruptcy and divorce form preparation and filing. Mr. Zaplana completes the forms, but Mr. Poulton reviews all of the paperwork before Mr. Zaplana files anything. Clients often meet with Mr. Poulton at the initial meeting. When clients agree to hire Servicios Paralegales, they sign an agreement with Servicios Paralegales. The Agreement states that all “cases are reviewed by an attorney at Poulton Law Group” and that “this attorney review did not create an attorney-client relationship.” A blank copy of that agreement is attached as Exhibit F. Clients do not sign any agreement with the Poulton Law Group.

According to Mr. Zaplana, clients pay Servicios Paralegales \$350-400 per matter. Out of that amount, Servicios Paralegales pays Mr. Poulton \$100 for his review. Mr. Zaplana also performs more traditional paralegal services for Poulton Law Group that are separate from the Servicios Paralegales work. For example, he does client intake work for Mr. Poulton. Mr. Poulton pays Mr. Zaplana \$100 per case for that work and issues Mr. Zaplana a 1099 tax form for the amounts paid. The 1099 does not reflect any of the Servicios Paralegales work.

On August 19, 2021, the UPL Committee notified the Office of Professional Conduct of this potential issue regarding an attorney enabling UPL by David Zaplana. The UPL Committee explained to OPC that it learned that the attorney may have agreed to supervise form completion work by Mr. Zaplana, who is not a lawyer. The committee was concerned by this relationship because (1) the attorney and Mr. Zaplana attempted to disclaim any attorney-client relationship between the attorney and the individuals who request the forms he is purportedly reviewing, and (2) the attorney appeared to be sharing fees with a non-lawyer.

On November 17, 2021, the Bar received another complaint that Mr. Zaplana was engaged in the unauthorized practice of law, causing financial and other harm to the complainant due to botched work on multiple bankruptcies. A few weeks earlier, the Bar received a telephone report from a prosecutor who had encountered the same complaint due to police reports filed.

IV. CONCLUSION

In light of the UPL Committee's multiple years of investigation of Mr. Zaplana, his having entered into a Cease and Desist Agreement a year ago, and the Bar having received new, credible complaints since that time, the UPL Committee requests that the Board of Bar Commissioners approve the initiation of formal action against Mr. Zaplana for the unauthorized practice of law.

Exhibit A



Utah State Bar®

Unauthorized Practice of Law Committee

COPY

January 13, 2021

VIA U.S. MAIL

David Zaplana
Servicios Paralegales LLC
655 E 4500 S, STE 120
SLC, UT 84107

Re: Allegation of re Unauthorized Practice of Law

Dear Mr. Zaplana,

On behalf of the Unauthorized Practice of Law Committee ("Committee") of the Utah State Bar, I write concerning complaints the Committee received alleging that you may be engaged in the unauthorized practice of law.

The complaints we received alleged that you had represented that you will prepare and file legal documents. In both cases, the complainants reported you had not filed those documents even though you took their money. In one case, the complainant discovered that they did not meet certain eligibility criteria to obtain the relief they sought. In the other matter, the individual who hired you believed you would file the papers to initiate a divorce but discovered you did not. Both complainants reported that they believed you were an attorney.

We have also reviewed your website and Facebook postings. Earlier this year, your website represented that you are a "Senior Paralegal." You advertised you were an alternative to a lawyer, but you also made representations that might be indicative of a law practice, including representing you help clients "down a path to the results" they need and mentioning your "success stories." We did not see an indication on your website that you are working with or are supervised a licensed attorney. It appears that you have now taken much of your website down, but the website that remains as well as your Facebook page still advertise your business as "Servicios Paralegales LLC," which suggests you are a licensed paralegal.

After reviewing the complaints, information from complainants, and information you provided, the Committee requests you take several steps to ensure that you stay in compliance with Utah law and hopefully avoid further confusion regarding services you provide.



Utah State Bar®

Unauthorized Practice of Law Committee

First, you have mentioned your intention to become a Licensed Paralegal Practitioner ("LPP"). We hope to see the number of LPPs continue to increase and wish you well in this endeavor. However, until you complete all the requirements to become an LPP, you must remove any reference or suggestion that you are a "paralegal" or "paralegale" from your website, social media, and any other advertising. You cannot represent or hold yourself out as a paralegal unless you are an LPP or working for, and directly supervised by, an attorney.

Second, we ask that you sign and return the enclosed agreement that you will comply with the above requirements unless and until you become an LPP. Once we received a signed copy of this agreement, we will close our file.

Please be advised that the requirements for becoming an LPP include, among other things, the requirement that you provide proof of substantive law experience overseen by a supervising attorney. See Licensed Paralegal Practitioner Program Overview and Information, *available at* <https://www.utahbar.org/wp-content/uploads/2020/01/LPP-Info.pdf>. Holding yourself out as a paralegal without working under a supervising attorney is not only unauthorized as you are not yet an LPP, but it also could delay your LPP application.

Sincerely,

Erin Middleton
Unauthorized Practice of Law Committee
Utah State Bar

cc: Elizabeth Wright
Maribeth LeHoux

AGREEMENT NOT TO ENGAGE IN THE PRACTICE OF LAW

This AGREEMENT NOT TO ENGAGE IN THE PRACTICE OF LAW (this "Agreement") is entered into by and between the UTAH STATE BAR (hereafter "the Bar") and DAVID ZAPLANA (hereafter "Mr. Zaplana"). The Bar and Mr. Zaplana may be referred to individually as a "Party" and collectively as the "Parties."

RECITALS:

WHEREAS, the Bar was created and exists by virtue of the laws of the State of Utah and the Utah Supreme Court whose authority derives from Article VIII, Section 4 of the Utah Constitution to oversee and regulate the practice of law in Utah; and

WHEREAS, the Utah Supreme Court has enacted Rule 14-506 of the Utah Supreme Court Rules of Professional Practice to evidence its authority over those not licensed to practice law in the State of Utah; and

WHEREAS, the Utah Supreme Court has delegated its authority to the Utah State Bar through the Rules for Integration and Management in the Utah Supreme Court Rules of Professional Practice to enforce the prohibitions against those engaged in the practice of law without being duly authorized to do so; and

WHEREAS, Rule 14-802 (Authorization to Practice Law) in the Utah Supreme Court Rules of Professional Practice defines, in conjunction with established case law, what constitutes the unauthorized practice of law in Utah; and

WHEREAS, Mr. Zaplana is not an attorney licensed to practice law in the State of Utah or any other state; and

WHEREAS, Mr. Zaplana is not a Licensed Paralegal Practitioner in the State of Utah or any other state; and

WHEREAS, Mr. Zaplana has provided and continues to provide certain legal document preparation services through the entity Servicios Paralegales LLC; and

WHEREAS, the Bar has received complaints and has information indicating that Mr. Zaplana may be engaged in the unauthorized practice of law in connection with his business activities; and

WHEREAS, Mr. Zaplana has been the subject of an investigation by the Bar's Unauthorized Practice of Law Committee, which has been empowered by the Bar through the Utah Supreme Court to make such an investigation and negotiate this agreement; and

WHEREAS, that Bar believes that Mr. Zaplana, prior to the date of this Agreement, may have engaged in activities which the Bar believes could constitute the practice of law in violation of Rules 14-111 and 14-802 of the Supreme Court Rules of Professional Practice, which

generally includes representing the interests of another person "by informing, counseling, advising, assisting, advocating for or drafting documents for that person through application of the law and associated legal principles to that person's facts and circumstances"; and

WHEREAS, Mr. Zaplana denies he has engaged in the practice of law in violation of Rules 14-111 and 14-802 of the Supreme Court Rules of Professional Practice; and

WHEREAS, Mr. Zaplana has stated that he does not intend to engage in the unauthorized practice of law and wishes to enter into this agreement in order to terminate the Bar's investigation and any imminent litigation.

A G R E E M E N T:

NOW, THEREFORE, in consideration of the mutual covenants and promises set forth below and other good and valuable consideration, the sufficiency and adequacy of which is hereby acknowledged, the Parties agree as follows:

- 1. Refrain from Practice of Law.** Mr. Zaplana agrees, both individually (directly) and on behalf of any business or entity owned, operated, or controlled by Mr. Zaplana (indirectly), that he will refrain from the following:
 - a. from engaging in any activities that constitute the unauthorized practice of law under the laws of the State of Utah, regardless of whether any fee is charged or compensation is received in connection with such activities;
 - b. from furnishing or providing legal services or offering to do the same that constitute the unauthorized practice of law under the laws of the State of Utah;
 - c. from holding himself out as a lawyer licensed in Utah or a person otherwise authorized to furnish or provide legal services or advice;
 - d. from holding himself out as a paralegal licensed in Utah or a person otherwise authorized to inform, counsel, assist, or provide other services provided by Licensed Paralegal Practitioners;
 - e. from holding himself out as a person capable of providing legal assistance of any kind while not supervised by a licensed attorney;
 - f. from applying a client's individual facts and circumstances to the law when drafting or preparing legal documents, including but not limited to documents relating to divorce, immigration, bankruptcy, or expungement (regardless of whether such documents result from original work product, previously used documents, or standard forms) which would constitute the unauthorized practice of law under the laws of the State of Utah. The foregoing does not preclude Mr. Zaplana from assisting the client by placing information supplied by the clients into form documents where such information is called for by such form documents; and

g. from recommending or providing to others legal documents or forms for their use, and from giving advice concerning the utility, advisability, effect or completion of any legal document or form, to the extent doing so would require application of the law to the individual's individual facts and circumstances and therefore constitute the unauthorized practice of law under the laws of the State of Utah.

Nothing in the Agreement shall preclude, prevent or otherwise enjoin Mr. Zaplana, or any business or entity owned, operated or controlled by Mr. Zaplana, from directly or indirectly engaging in any activities permitted under Rule 14-802 (Authorization to Practice Law)

2. Referral to Qualified Counsel. Mr. Zaplana agrees that, when confronted by a client in need of legal services including legal advice, legal assistance, or documents as to which the client needs the application of legal principles to facts, he will immediately advise the client to consult a licensed attorney for such advice, assistance or documents when the advice or counsel sought would constitute the unauthorized practice of law under the laws of the State of Utah.

3. Application of Restrictions. The provisions of this Agreement shall apply regardless of whether Mr. Zaplana's actions are taken as an individual or as a business proprietor, partner, associate, shareholder, officer, director, limited liability company member, trustee, beneficiary, investor, affiliate, consultant, independent contractor, or otherwise.

4. Pro Se Activities Not Restricted. Nothing in this Agreement shall prohibit Mr. Zaplana from representing himself *pro se* in legal matters in which he personally is a party.

5. Agreement Not to Prosecute and Termination of Investigation. So long as Mr. Zaplana fully abides by the terms of this Agreement and does not otherwise engage in the unauthorized practice of law, the Bar shall refrain from seeking to enjoin Mr. Zaplana's activities through formal judicial proceedings. Upon approval and execution of this Agreement by the Bar as provided below, the Bar shall terminate its investigation of Mr. Zaplana until such time as any further complaint is made against or until such time as the Bar otherwise learns of conduct by that may constitute the unauthorized practice of law.

6. Remedies Upon Breach. Should Mr. Zaplana breach this Agreement by engaging in the unauthorized practice of law in violation of the aforementioned provisions, including Rules 14-111 and Rule 14-802, Mr. Zaplana shall be subject to all remedies available to the Bar under applicable laws and under the terms of this Agreement, including but not limited to, reasonable attorney's fees and costs in the event that the Bar files a complaint and successfully enjoins Mr. Zaplana from engaging in the unauthorized practice of law.

7. Approval: This Agreement is subject to approval and execution by the Bar's General Counsel and shall not become effective until such approval and execution. By executing this agreement, Mr. Zaplana represents that he is duly authorized to act on behalf of any of his business entities.

8. Governing Law/Venue. This agreement extends to conduct by Mr. Zaplana anywhere in the State of Utah. This Agreement is entered into in and shall be governed by the

laws of the State of Utah. Venue for any future action to enforce the terms of this Agreement or to prevent or enjoin the unauthorized practice of law by shall be in such court as the Bar in its sole discretion may select.

9. **Severability.** Any provision of this Agreement if found to be unenforceable, the remaining provisions shall nevertheless remain in full force and effect.

10. **Entire Agreement.** This Agreement sets forth the entire understanding and agreement between the Parties and shall be binding upon and inure to the benefit of the Parties and their respective heirs, successors, and assigns. This Agreement may not be amended or modified except in a writing signed by all of the Parties to this Settlement Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective as of the Effective Date.

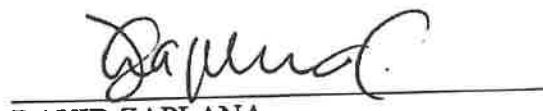
THE UTAH STATE BAR:



Elizabeth Wright, General Counsel

Date: 1/21/2021

DAVID ZAPLANA:



DAVID ZAPLANA

Date: 1/18/2021

Exhibit B

< 🔍 Servicios Paraleg...



I've never dreamed
about success,
I WORKED FOR IT.



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Paralegales LLC a
division of Poulton
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Legal Service



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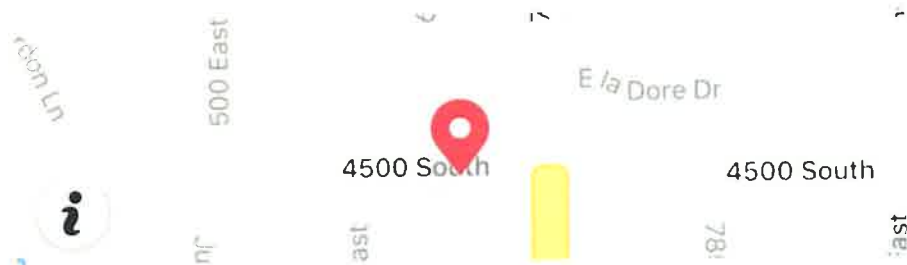
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Exhibit C

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Feb 1 ·

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Feb 1 · 

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Paralegal Services is a division of Poulton Law Group, all documents prepared in Paralegal Service are monitored and reviewed by Poulton Law group lawyers without this constituting a client and lawyer relationship.

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**DACA , necesitas ayuda para preparar y
enviar tu solicitud, Llámanos (801)
810-8307**

Servicios Paralegales es una división de
Poulton Law Group , todos los
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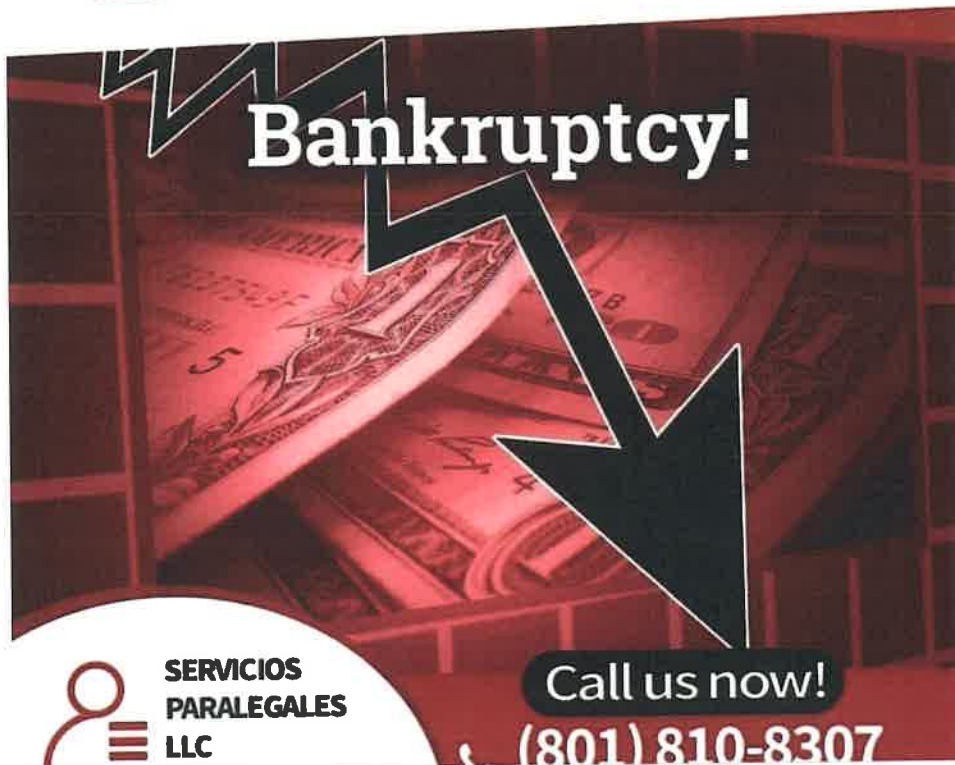


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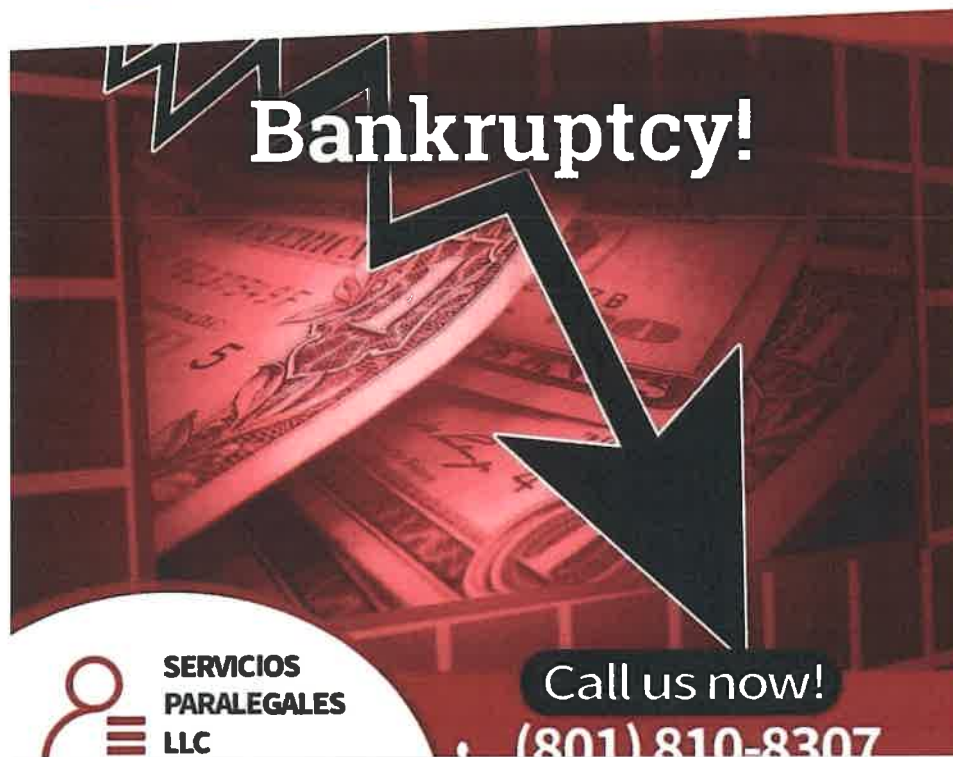


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May 28 · Salt Lake City, UT · 

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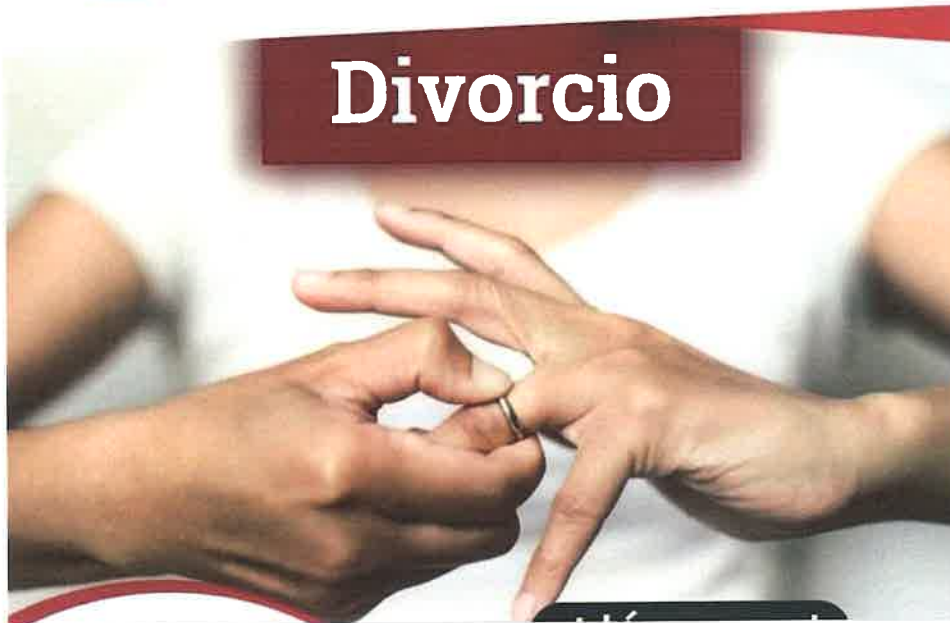
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Exhibit F

GENERAL SERVICE AGREEMENT

BETWEEN

Estimado Cliente
(the "Customer")

- AND -

Servicios Paralegales LLC , 655 e 4500 s suite 120 , Salt Lake City, Utah
(the "Service Provider").

1. Services Provided

The Customer hereby agrees to engage the Service Provider to provide the Customer with services (the "Services") consisting of:

o

The Services will also include any other tasks which the Parties may agree on in writing. The Service Provider hereby agrees to provide such Services to the Customer.

2. Compensation

For the services rendered by the Service Provider as required by this Agreement, the Customer will provide compensation (the "Compensation") to the Service Provider of a fixed amount of \$.00 The Compensation will be \$.00 due before start of services .

3. Modification of Agreement

Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

4. Limited Liability

Customer shall hold Service Provider harmless for all mistakes, damages, or losses, that Customer might suffer as a result of performing or not performing this agreement and shall indemnify Service Provider for any loss incurred by service provider in performing this agreement.

5. **Entire Agreement**

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

6. **Governing Law and Mediation**

It is the intention of the Parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Utah, without regard to the jurisdiction in which any action or special proceeding may be instituted. The parties agree to attempt both mediation and arbitration in Utah before filing any court action.

7. **Attorney Review**

All cases are reviewed by an attorney at Poulton Law Group, this attorney review does not create an attorney client relationship.

IN WITNESS WHEREOF the Parties have duly affixed their signatures under hand and seal on this of , 2021 .

	<p>_____</p> <p>(Customer)</p>
	<p>_____</p> <p>David Zaplana (Service Provider)</p>

TAB 3

UTAH STATE BAR AWARDS COMMITTEE AWARD RECOMMENDATION

TO: Utah State Bar Commission

DATE: January 28, 2022

RE: **AWARD RECOMMENDATION – Dorothy Merrill Brothers Award for the Advancement of Women in the Legal Profession.**

NOMINEES:

- | | | |
|----|------------------|---|
| 1. | Jessica Andrew | (No prior Bar award.) |
| 2. | Jill Coil | (No prior Bar award.) |
| 3. | Lori Nelson | (No prior Bar award.) |
| 4. | Hon. Laura Scott | (2014 Professionalism Award, 2020 James B. Lee Mentoring Award) |
| 4. | Gretta Spendlove | (No prior Bar award.) |

RECOMMENDATION:

Jessica A. Andrew, and
Lori W. Nelson

The Utah State Bar Awards Committee met on January 24, 2022 to review the nominations for the Dorothy Merrill Brothers Award. The Committee discussed the outstanding merits of each nominee and finally agreed upon recommending both Jessica Andrew and Lori Nelson to the Bar Commission for consideration.

AWARD HISTORY:

	Past Recipients	Other Nominations That Year
2021	Aida Neimarlija	Jill Coil, Amy Fowler, Elisa Harris, Angelina Tsu
2020	Jennifer Tomchak	Aida Neimarlija, Judge Laura Scott, Angelina Tsu
2019	Jacey Skinner	Ann Marie Taliaferro
2018	Ellen Maycock	Ann Marie Taliaferro
2017	Hon. Michele Christiansen	Marlesse Jones
2016	Barbara Hjelle	Joni K. Jones
2015	Patrice Arent	
2014	Terrie McIntosh	Peggy Hunt, Elaina Maragakis, Aida Neimarlija, Lori Nelson
2013	Charlotte L. Miller	Lori Nelson
2012	Hon. Sandra N. Peuller	Kelly De Hill, Elizabeth Dunning, Jennifer Lee, Lori Nelson
2011	Lauren I. Scholnick	
2010	Evelyn J. Furse Melanie J. Vartabedian Lisa A. Yerkovich	Joanna Sagers, Rashelle Perry, Kathy Dryer
2009	Hon. Carolyn B. McHugh	Lori Nelson
2008	Constance Lundberg Susan Peterson	Steven Waterman
2007	Irene Warr	Kate Toomey, Christine Fitzgerald Solits
2006	Janet H. Smith	Hon. Carolyn McHugh, Julie K. Morriss
2005	Annette W. Jarvis	Michaela D. Andruzzi; Ellen O'Hara
2004	Paul M. Warner	Commissioner Susan Bradford, Charlotte Miller
2003	Denise Dragoo	Nelda Bishop, Kristen Clayton, Bonnie Mitchell, Debra Moore and Judi Gretta Sorensen
2002	Hon. Pamela T. Greenwood	Karin Hobbs
2001	Laura M. Gray	Hon. Tina Campbell, Laura M. Gray, Patricia M. Leath, Hon. Pamela Greenwood, Charlotte Miller; and Marilu Peterson (non-lawyer)
2000	Katherine D. Pullins (non-lawyer)	Hon. David K. Winder
1999	Rosalie M. Reilly	
1998	James B. Lee	Attorney General Jan Graham, Hon. Pam Greenwood, Glenn C. Hanni; Hon. Leslie A Lewis, Patricia M. Leith, Hon. Kay Lindsay, Charlotte L. Miller, Toni Marie Sutliff, Irene Warr
1997	Anne Milne	
1996	Patricia W. Christensen	
1995	Hon. Christine M. Durham	

Christy Abad

From: WordPress <Nominations@utahbar.org>
Sent: Friday, January 14, 2022 10:25 AM
To: Christy Abad
Subject: New submission from Nomination Bar Awards

Nominator Name

Mary Manley

Utah State Bar Member

Nominee's Name

Jessica Andrew

Dorathy Merrill Brothers Award (Spring Convention)

Jessica Andrew is an incredible attorney, and has undergone significant efforts to gather women lawyers together to build a community of support. Jessica epitomizes what it means to enhance the administration of justice and delivery of legal services. She is incredibly professional, has a heart as big as Texas, and has and continues to lend a hand or word of advice, or mentorship to anyone who reaches out to her. Jessica creates support groups of women so we each feel part of a group and community and has facilitated support meetings at her own home whenever it has been needed. Jessica Andrew is a stellar example of what it means to lean down and lift her fellow women attorneys across the state.

Please select one:

My nomination is public and I give permission for my nomination to be shared with the nominee and published, whole or in part, by the Utah State Bar.

Nominator Name

Mary Manley

Bar Number

16886

Christy Abad

From: WordPress <Nominations@utahbar.org>
Sent: Wednesday, January 12, 2022 11:53 AM
To: Christy Abad
Subject: New submission from Nomination Bar Awards

Nominator Name

[REDACTED]

Utah State Bar Member

Nominee's Name

Lori Nelson

Dorathy Merrill Brothers Award (Spring Convention)

I believe Lori is a great example of the integrity, work ethic, and professionalism that an attorney should have, and is a great example to other women who may be considering whether to become a lawyer. She is a great leader, whether working in a small or large firm setting, or in community service areas.

Please select one:

My nomination is private and should not be shared with the nominee or published, whole or in part, by the Utah State Bar.

Nominator Name

[REDACTED]

Bar Number

[REDACTED]

Email address

[REDACTED]

TAB 4

UTAH STATE BAR AWARDS COMMITTEE AWARD RECOMMENDATION

TO: Utah State Bar Commission

DATE: January 28, 2022

RE: **AWARD RECOMMENDATION – Raymond S. Uno Award for the Advancement of Minorities in the Legal Profession.**

NOMINEES:

- | | |
|-----------------------|---|
| 1. Abby Dizon-Maughan | (No prior Bar award.) |
| 2. Prof. Erika George | (No prior Bar award.) |
| 3. Cheryl Mori | (2009 Raymond S. Uno Award, 2018 James B. Lee Award.) |
| 4. Ross Romero | (No prior Bar award.) |

RECOMMENDATION:

Abby Dizon-Maughan, and
Ross I. Romero

The Utah State Bar Awards Committee met on January 24, 2022 to consider the nominations for the 2022 Raymond S. Uno Award. The committee agreed upon recommending two attorneys for the award, Abby Dizon-Maughan and Ross I. Romero.

AWARD HISTORY:

	Past Recipients	Other Nominations That Year
2021	Engels Tejada	<i>No nominees.</i>
2020	Melinda Bowen	Hon. Lynn W. Davis, James A. Sorenson, Engels Tejada
2019	Yvette Donosso	
2018	Hon. Augustus G. Chin	
2017	Hon. Vernice Trease	Trystan Smith
2016	Reyes Aguilar, Carl Hernandez	
2015	Andrea Martinez Griffin	
2014	Janise K. Macanas	Larry EchoHawk, Douglas Matsumori
2013	Cecilia Romero	
2012	Prof. David Dominguez	S. Grace Acosta, Augustus Chin, Hakeem Ishola, Doug Matsumori, Darold J. McDade, Sean Reyes, J. Craig Swapp, Phillip Uipi, Hon. Andrew Valdez
2011	Nathan D. Alder	
2010	Trystan Smith	Carlos Esqueda
2009	Cheryl Miyuki Mori	
2008	Su Chon	
2007	Judge Glen K. Iwasaki	Judge Glen K. Iwasaki, Sean D. Reyes
2006	Mona Burton	Douglas Matsumori
2005	Cheryl D. Luke	Filia H. "Phil" Uipi
2004	Marlene Gonzalez	Barbara Melendez, Filia H. "Phil" Uipi
2003	F. John Hill	James C. Bradshaw, Gus Chin, Barbara Dickey, Marlene Gonzalez, Darold J. McDade, Mark R. Moffat
2002	Robert L. Flores	Darold J. McDade
2001	Hon. Tyrone E. Medley	Gus Chin
2000	Sherrie Hayashi	
1999	Jimi Mitsunaga	
1998	Hon. Raymond Uno	
1997	Michael N. Martinez	
1996	John Martinez	
1995	Hon. William A. Thorne, Jr.	

Christy Abad

From: WordPress <Nominations@utahbar.org>
Sent: Wednesday, January 19, 2022 12:52 PM
To: Christy Abad
Subject: New submission from Nomination Bar Awards

Nominator Name

Andres Morelli

Utah State Bar Member

Nominee's Name

Abby Dizon-Maughan

Raymond S. Uno Award (Spring Convention)

Abby has been a stalwart mentor to, not only attorneys of color, but also aspiring-attorneys of color. For example, as the Chair of the criminal justice committee of the NAACP-Salt Lake Branch, Abby promoted and recruited students of color at the SJ Quinney College of Law to apply for the scholarship. As a result of her efforts, the organization awarded a student of color a scholarship. Abby also mentors high school students and law students and has provided guidance and advice for these individuals as they chart their path to a legal career. Abby sits on Parsons Behle & Latimer's DEI committee and recruiting committee ensuring that her firm's commitment to diversity and inclusion is upheld.

Abby also uses her various past-positions with the Bar to advance minorities in our profession. She chaired the Spring Convention Planning Committee for two consecutive years (2020 and 2021). Each year she recruited and invited diverse members to serve on the committee and strongly encouraged committee members to look outside of their regular, go-to contacts to serve as panelists, and to look to attorneys who would otherwise be overlooked. Abby has also encouraged attorneys of color to apply for the Leadership Academy, which she recognizes as a springboard for future leaders in the Bar.

Abby is a past-president of the Utah Minority Bar Association. In her various roles as president elect, president, and then immediate past president, Abby has reached out, and continues to reach out, to attorneys of color to join UMBA and participate in their events. Abby also sits on several committees with the Utah Center for Legal Inclusion, and even encouraged one of her mentees to apply for an internship. Abby's mentee is a current intern with UCLI and is well on her path to a career in the law.

Abby is the chairperson of the Professional Standards Review Board, the civilian oversight board of the West Valley City Police Department. She has served as chair for 8 years and in that time has increased the diversity of the Board to make it more reflective of the West Valley community. Abby also chaired the selection committee for the South Salt Lake Citizen's Review Board, which is the civilian oversight board of the South Salt Lake Police Department. Abby devoted countless hours to help establish the CRB to ensure that citizens of SSL are given a voice in their community.

Please select one:

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Nominator Name

Andres Morelli

Bar Number

16907

Email address

andy@yhmlaw.com

Date

1/19/2022

Christy Abad

From: WordPress <Nominations@utahbar.org>
Sent: Friday, January 21, 2022 12:28 PM
To: Christy Abad
Subject: New submission from Nomination Bar Awards

Nominator Name

Melanie Vartabedian

Utah State Bar Member

Nominee's Name

Abigail Dizon-Maughan

Raymond S. Uno Award (Spring Convention)

I enthusiastically nominate Abigail Dizon-Maughan for the Raymond S. Uno Award. I have had the privilege of knowing Abby since 2005. It has been an absolute pleasure and honor to watch Abby as she finished her MBA while working full time as a paralegal, embarking on law school, and developing her career as an attorney. Abby dedicates herself to social justice and she works to advance minorities in our communities and in the law. She teaches her two young children the importance of civic involvement and speaking for those who may not have a seat at the table. This, in part, stems from her experiences growing up as a minority in Utah. A few highlights of Abby's work are listed below.

- Mentorship: Abby is a mentor to attorneys of color and students of color who want to become attorneys – from high school students to law students. She is dedicated to finding ways to support the students she mentors. Abby also volunteers at her children's schools to encourage minority students to consider a career in the law. She believes in the "see one to be one" mindset. As the chair of the criminal justice committee of the NAACP-Salt Lake Branch, Abby promoted and recruited students of color at the SJ Quinney College of Law to apply for the scholarship, resulting in the organization awarding a student of color from SJQ a generous scholarship.
- Leadership in the Bar: Abby uses her positions with the Bar to advance minorities in our profession. She chaired the Spring Convention Planning Committee for two consecutive years. Each year, she recruited diverse members to serve on the committee and strongly encouraged committee members to look outside of their regular contacts to serve as panelists, and to look to attorneys who would otherwise be overlooked. Abby encourages attorneys of color to apply for the Leadership Academy, which she recognizes as a springboard for future leaders in the Bar.
- Affinity group leadership: Abby is a past-president of the Utah Minority Bar Association. In her various roles as president elect, president, and then immediate past president, Abby reaches out to attorneys of color to join

UMBA and participate. Abby sits on several committees with the Utah Center for Legal Inclusion, and encouraged one of her mentees to apply for an internship. Abby's mentee is a current intern with UCLI and is well on her path to a career in the law.

- Community leadership: Abby is the chairperson of the Professional Standards Review Board, the civilian oversight board of the West Valley City Police Department. She has served as chair for 8 years and has increased the diversity of the Board to make it more reflective of the West Valley community. Abby also chaired the selection committee for the South Salt Lake Citizen's Review Board, which is the civilian oversight board of the South Salt Lake Police Department. Abby devoted countless hours to help establish the CRB to ensure that citizens of SSL are given a voice in their community.

Thank you for your consideration of this nomination. If I can provide any additional information, please do not hesitate to let me know.

Please select one:

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Nominator Name

Melanie Vartabedian

Bar Number

10148

Email address

vartabedianm@ballardspahr.com

Date

1/21/2022

Christy Abad

From: WordPress <Nominations@utahbar.org>
Sent: Wednesday, January 12, 2022 12:03 PM
To: Christy Abad
Subject: New submission from Nomination Bar Awards

Nominator Name


Utah State Bar Member

Nominee's Name

Ross Romero

Raymond S. Uno Award (Spring Convention)

I believe that Ross has worked very hard to benefit minorities, whether in his work as an attorney, or his work politically. His ethics and integrity are of the highest order. He is a great example to others about what can be accomplished with a law degree for minorities, and should be well known to this committee. His accomplishments include being president of the Utah Minority Bar Assoc. in 2003, a board member of Utah Hispanic Chamber of Commerce. He was a Utah Senator and in 2010 was elected as Senate Minority Leader.

Please select one:

My nomination is private and should not be shared with the nominee or published, whole or in part, by the Utah State Bar.

Nominator Name

Bar Number

Email address

TAB 5

Leadership Academy 2022 Participants

FIRST	LAST	Division
Turia	Averett	5
Kaleb	Brimhall	4
Chad	Carter	1
Angie	Clifford-Salisbury	3
Brian	Davis	3
Melinda	Dee	3
Brooke	Groneman	2
Brent	Huff	3
Thomas	Lingard	2
Katie	Nichols	3
Alissa	Owen	3
Robert	Van Dyke	6

TAB 6

**UTAH STATE BAR
BOARD OF BAR COMMISSIONERS
MINUTES**

November 18, 2021 at 9:00 a.m.

ZOOM MEETING

- In Attendance:** President Heather Thuet and President-elect Kristin “Katie” Woods.
Commissioners: John Bradley, Traci Gunderson, Rick Hoffman, Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Shawn Newell, Michelle Quist, and Tyler Young.
- Ex-Officio Members:** Past-President Heather Farnsworth, Cedar Cosner (for Grant Miller), Kim Cordova, Beth Kennedy (for Kim Neville), Brandon J. Mark, Margaret Plane, and Tonya Wright.
- Not in Attendance:** Commissioners Greg Hoole and Andrew Morse. Ex-Officio Members Nate Alder, Ramzi Hamady, Erik Christiansen, Dean Elizabeth Kronk-Warner, and Dean Gordon Smith.
- Also in Attendance:** Executive Director Elizabeth A. Wright, General Counsel Nancy J. Sylvester, Supreme Court Liaison Nick Stiles, and guests Jeffrey Mangrum, Martha Knudsen, Justice Paige Petersen, and Matt Thiese.

Minutes:

1.1 President’s Welcome and Report: Heather Thuet. The meeting commenced at 9:00 a.m. Ms. Thuet welcomed Commission members and guests to the meeting. She then provided an update on the following:

1.2 Legislative Breakfast Report. Ms. Thuet reported that the breakfast with the lawyer legislators went well and that she was pleased with the good relationship the Bar has with the Legislature.

1.3 Bar Review Event - Warm Gloves and Socks Donation. Ms. Thuet noted that the Bar Review Event would be held at the Green Pig that evening and the Bar would be collecting warm gloves and socks for donation. The next Bar Review will be January 20, 2022.

1.4 Fall Forum Schedule. Ms. Thuet noted that the Fall Forum had moved from an in-person event to weekly sessions on Zoom that run through January.

2. Action Items

2.1 Approve Financial Audit: Marty Moore, Rick Hoffman, and Lauren Stout (Tab 1, Page 3). Ms. Stout reported that the Bar had received a clean audit from its external auditors. Mr. Moore moved to approve the audit and Mr. Young seconded. The motion carried.

2.2 Approve Outstanding NLTP Mentor Awards (Tab 2, Page 29): Michelle Quist. Ms. Quist presented the award nominees for outstanding NLTP mentoring. The nominees were Ann Marie (“Annie”) Taliaferro and Hon. Brody Keisel. Mr. Moore moved to approve the awardees and Ms. Mancuso-Smith seconded. The motion carried.

2.3 Approve New Fence and Gate for South Side of Law and Justice Center: Elizabeth Wright. Ms. Wright reported to the Commission that she had received a bid to construct a vertical slat metal fence on the south side of the Law & Justice Center. She noted that Bar personnel, law enforcement, and the Security Director from the courts had observed unsafe conditions created by the alleyway there. The transient population was using it as a latrine and for doing drugs and other illicit activity. Law enforcement recommended the fence. Ms. Wright said the bid included a 10-year warranty on parts. Ms. Thuet asked whether a lifetime warranty was available. Ms. Wright said she would look into it. The Commission determined that it would vote by email on this item.

3. Information Items

3.1 MCLE Accreditation for Student Outreach and Education: Mark Morris. Mr. Morris informed the Commission that he was working with the MCLE Board on accreditation for student outreach and education. The idea behind this effort is to encourage young people to consider a career in the law, especially those in historically disadvantaged communities.

3.2 Well Being Committee Collaboration with Hazelden Betty Ford: Justice Paige Petersen, Jeffrey Mangrum, Dr. Matt Thiese, and Martha Knudsen. Ms. Knudsen noted that high levels of well-being coordinate with the things the profession cares about, such as competence, communication, and ethical behavior. The presenters said their vision is to work with the Hazelden Betty Ford Foundation to bring well-being resources and curriculum to everyone, regardless of the ability to pay. They envisioned raising about \$50,000 from private sources, such as law firms. They did not anticipate that the Bar itself would need to contribute, but asked that the

Commission support the project. Mr. Morris moved to support the project and Ms. Thuet seconded. The Commission unanimously approved supporting the project.

CONSENT AGENDA (Tab 4, Page 665). The Commission approved the following items by consent:

- **Minutes of October 15, 2021 Commission Meeting;**
- **Fund for Client Protection recommended payments.**

3. Executive Session. No executive session was held.

4. Adjourn. The Bar Commission meeting adjourned at 10:15 a.m.

**UTAH STATE BAR
BOARD OF BAR COMMISSIONERS
MINUTES**

December 29, 2021 at 9 a.m.

ZOOM MEETING

In Attendance: President Heather Thuet and Commissioners John Bradley, Traci Gunderson, Greg Hoole, Chrystal Mancuso-Smith, Marty Moore, Mark Morris, Andrew Morse, Shawn Newell, and Tyler Young.

Ex-Officio Members: Past-President Heather Farnsworth, Erik Christiansen, Kim Cordova, Beth Kennedy (for Kim Neville), Grant Miller, and Tonya Wright.

Not in Attendance: President-elect Kristin “Katie” Woods; Commissioners Rick Hoffman and Michelle Quist; and Ex-Officio Members Nate Alder, Ramzi Hamady, Dean Elizabeth Kronk-Warner, Brandon J. Mark, Margaret Plane, and Dean Gordon Smith.

Also in Attendance: Executive Director Elizabeth A. Wright and General Counsel Nancy J. Sylvester.

Minutes:

President Heather Thuet determined quorum and convened the meeting at 9:00 a.m. The Commission met to discuss recommendations for the Appellate Court Nominating Commission. The Commission reviewed the applications and discussed the applicants. The Commission voted to select three to four candidates from each political affiliation to send to the Governor for consideration. The Commission also selected three alternative candidates in the event the Governor asked for additional nominees. Marty Moore moved to approve the recommendations and Shawn Newell seconded. The motion carried.

Adjourn. The Bar Commission meeting adjourned at 10:15 a.m.