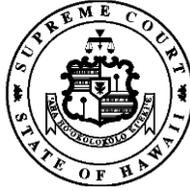


Office of Disciplinary Counsel
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813
Telephone (808) 521-4591
www.dbhawaii.org



Chief Disciplinary Counsel
Bradley R. Tamm

Deputy Chief Disciplinary Counsel
Rebecca M. Salwin

Assistant Disciplinary Counsel
Ryan S. Little
Chloe M. R. Fasi

Investigators
Andrea R. Sink
Joanna A. Sayavong
Josiah K. Sewell
Lisa K. Lemon

FOR IMMEDIATE RELEASE

Date: Monday, October 21, 2019

CONTACT: Bradley R. Tamm

Direct: (808) 469-4026

PRESS RELEASE

HONOLULU, HAWAI'I - On October 18, 2019, the Hawai'i Supreme Court imposed a PUBLIC CENSURE upon Hawai'i attorney Ernesto Montemayor Ganaden for practicing law while administratively suspended. Specifically, the supreme court found that Ganaden failed to timely file his 2016 registration materials with the HSBA, so that, as of March 1, 2016, Ganaden's license to practice law was administratively suspended and, therefore, that he was not authorized to practice law in Hawai'i from that date until his reinstatement on June 16, 2016. The supreme court further found that during this period of administrative suspension, Ganaden represented defendants in three separate criminal cases, including by making court appearances, and that after being made aware of his lack of an active law license, he nevertheless submitted applications for fees and costs to be paid by the State of Hawaii for legal work performed while administratively suspended.

The supreme court concluded that this conduct violated Rules 1.5, 3.4(e), 5.5(a) and 8.4(c) of the Hawai'i Rules of Professional Conduct (2014). In aggravation, that Ganaden engaged in a pattern of misconduct and committed multiple violations. However, in mitigation, Ganaden had a clean disciplinary record and was candid and cooperative in the disciplinary investigation and proceedings. As a result, the supreme court imposed a Public Censure, which is a sanction more serious than a Public Reprimand imposed by the Disciplinary Board, but less than an actual suspension of his license to practice law. In addition to the Public Censure, Ganaden was ordered to reimburse the State of Hawai'i \$1,665.00 for compensation paid during the period of suspension, and to successfully complete, at his own expense, the Multi-State Professional Responsibility Examination (MPRE). Ganaden was further ordered to bear the costs of these proceedings.

MORE

While a Supreme Court of Hawai'i imposed Public Censure does not prevent Mr. Ganaden from continuing to practice law, it may result in more serious sanctions for future violations of the rules of professional conduct.

Mr. Ganaden, age 38, was admitted to the Hawai'i bar in 2008, and is a graduate of the University of Hawai'i, William S. Richardson School of Law.

If there are any questions, please contact me at (808) 469-4026.

####