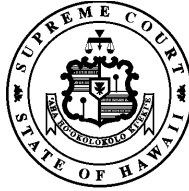


Office of Disciplinary Counsel
Hawai'i Supreme Court
201 Merchant Street, Suite 1600
Honolulu, Hawai'i 96813
Telephone (808) 521-4591
www.dbhawaii.org



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, February 3, 2020

CONTACT: Bradley R. Tamm

Direct: (808) 469-4026

PRESS RELEASE

HONOLULU, HAWAI'I - On January 30, 2020, the Hawai'i Supreme Court ordered Wailuku attorney Stuart Eric Ragan suspended from the practice of law in Hawai'i for the period of one year and one day, and ordered that he pay \$30,445.00 in restitution to his clients.

Mr. Ragan was charged by the Office of Disciplinary Counsel with various violations of the Hawai'i Rules of Professional Conduct (HRPC) in December 2016. After the breakdown of mediation efforts, the charges proceeded to a formal hearing. In May 2018 the hearing officer entered his report, finding that Mr. Ragan (1) improperly created a contractual lien against all his client's property; (2) filed frivolous complaints and oppositions to motions, despite previous warnings from the courts; (3) filed a defective bankruptcy case resulting in its summary dismissal for procedural non-compliance; (4) arranged for surrogate lawyers to appear at hearings without the knowledge or consent of his clients; (5) charged his clients excessive legal fees at exorbitant hourly rates for unauthorized, useless, ineffective, duplicative and frivolous legal work; (6) failed to account to his clients; (7) failed to maintain client trust accounting records; (8) improperly used counter deposit slips to deposit funds into trust; and (9) had a prior history of trust account violations. The hearing officer concluded that Mr. Ragan's violations were knowing and intentional, and he recommended disbarment.

On review and in consideration of the briefs and oral arguments of the parties, the Disciplinary Board of the Hawai'i Supreme Court adopted in part the hearing officer's findings, and found the charging of excessive fees for incompetent work the most egregious misconduct. The Board concluded that Mr. Ragan violated the rules of competence (HRPC Rule 1.1), diligence (HRPC Rule

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1.3), communications (HRPC Rule 1.4), fees (HRPC Rule 1.5), conflicts of interest (HRPC Rule 1.8), unmeritorious claims and contentions (HRPC Rule 3.1), and misconduct by failing to cooperate in the course of a disciplinary proceeding (HRPC Rule 8.4). The Disciplinary Board, after weighing the mitigating and aggravating factors present, recommended that Mr. Ragan be suspended for one year and one day, that he pays his clients restitution, and bear the costs of the disciplinary proceeding. By this January 30, 2020 Order of Suspension, the Hawai'i Supreme Court has adopted the recommendations of the Disciplinary Board, and has ordered that Mr. Ragan pay the \$30,445.00 in client restitution by February 19, 2020.

Upon entry of the January 30, 2020 suspension order, Mr. Ragan shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, between January 30, 2020 and February 29, 2020 he may wind up and complete, on behalf of any client, all matters that were pending on January 30, 2020. During that time, he is required to promptly notify all of her clients, and any attorneys for any adverse party in any pending litigation, of her suspension and consequent inability to act as an attorney. By February 29, 2020 Mr. Ragan shall surrender to all clients all papers and property to which the clients are entitled and any advance payments of fees that have not been earned.

Under the rules of the Hawai'i Supreme Court, attorneys suspended for more than one year, cannot be reinstated until they "can show proof ... by clear and convincing evidence [of their]: rehabilitation, fitness to practice law, competence and compliance with all applicable disciplinary or disability orders and rules, and compliance with any other requirements imposed by the [Hawai'i] supreme court."

Mr. Ragan, age 60, was admitted to the Hawai'i bar in 1995, and is a graduate of Washburn University School of Law in Topeka, Kansas. If there are any questions, please contact me at (808) 469-4026.

Case information: ODC v. Stuart Eric Ragan, SCAD-19-0000656.

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