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SCAD-11-0000096

IN THE SUPREME COURT OF THE STATE OF HAWAII

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OFFICE OF DISCIPLINARY COUNSEL, Petitioner,

vs.

GARY L. HARTMAN, Respondent.

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ORIGINAL PROCEEDING

(ODC 05-130-8282, 05-146-8298, 06-118-8458,  
07-018-8478, 10-003-8837, 10-007-8841)

ORDER OF SUSPENSION

(By: Recktenwald, C.J., Nakayama, Acoba, Duffy and McKenna, JJ.)

We have considered the Disciplinary Board's Report and Recommendation to suspend Respondent Gary L. Hartman from the practice of law in light of the record, the stipulations of the parties, and Respondent Hartman's lack of objection as exhibited by his failure to request briefing as permitted by Rule 2.7(d) of the Rules of the Supreme Court of the State of Hawaii (RSCH). It appears Respondent Hartman neglected clients' cases, took unearned fees, did not maintain trust accounts and books and records required by our rules, did not comply with court orders, and did not cooperate with the disciplinary investigations that resulted from the complaints of his clients and the report of payments against insufficient funds in trust accounts. Respondent Hartman's misconduct resulted in multiple violations

of Hawai'i Rules of Professional Conduct Rules 1.15(a)(1), 1.15(b), 1.15(c), 1.15(d), 1.15(g), 1.3, 8.1(b), 8.4(a) and 8.4(d). Therefore,

IT IS HEREBY ORDERED that Respondent Hartman is suspended from the practice of law in this jurisdiction for one year and one day, effective 30 days after entry of this order as provided by RSCH Rule 2.16(c).

IT IS FURTHER ORDERED that Respondent Hartman shall comply with the requirements of RSCH Rule 2.16 and shall pay such costs, if any, as are subsequently assessed upon timely submission of Disciplinary Counsel's verified bill of costs.

DATED: Honolulu, Hawai'i, March 24, 2011.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Simeon R. Acoba, Jr.

/s/ James E. Duffy, Jr.

/s/ Sabrina S. McKenna

