

WAKE COUNTY - FILED IN THE GENERAL COURTS OF JUSTICE
NORTH CAROLINA 2011 FEB -8 AM 11:49 SUPERIOR COURT DIVISION
10 CVS _____

THE NORTH CAROLINA STATE BAR,)
PETITIONER,)
BY _____)
v.) CONSENT ORDER
) OF DISBARMENT
GREGORY BARTKO, ATTORNEY,)
RESPONDENT.)

THIS MATTER was heard by the undersigned Judge of the Superior Court of Wake County. Petitioner, the North Carolina State Bar, was represented by Katherine E. Jean. Respondent, Gregory Bartko, was represented by himself, pro se.

Based upon the Affidavit of Surrender of Law License submitted by Bartko, the court makes the following:

FINDINGS OF FACT

1. Gregory Bartko was convicted on November 18, 2010 in the United States District Court for the Eastern District of North Carolina on one count of conspiracy, four counts of mail fraud, and one count of the sale of unregistered securities.

Based upon the foregoing Findings of Fact, the court makes the following:

CONCLUSIONS OF LAW

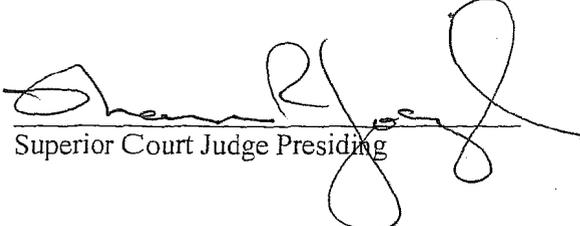
- 1. The crimes of which Bartko was convicted are serious crimes reflecting adversely on Bartko's honesty, trustworthiness or fitness as a lawyer in other respects in violation of Rule 8.4 (b) of the Rules of Professional Conduct.
- 2. Bartko's convictions constitute grounds for discipline under N.C. Gen. Stat. § 84-28 (b)(1) and (b)(2). *Bartko intends to file a timely appeal of his convictions dated November 18, 2010.*

IT IS NOW, THEREFORE, ORDERED:

- 1. Gregory Bartko is DISBARRED from the practice of law in North Carolina. *IF Petitioner's Records subsequently show that Respondent's convictions are reversed on appeal, he may petition*
- 2. Gregory Bartko shall comply with the provisions of Subchapter B, Section .0124 of the Rules and Regulations of the North Carolina State Bar and shall surrender his license and permanent membership card to the Secretary of the North Carolina State Bar along with the affidavit required by Subchapter B, Section .0124. *For reinstatement*

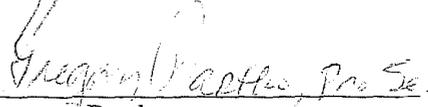
3. The costs of this action are taxed against Gregory Bartko.

Done and Ordered this 8 day of February, 2010.



Superior Court Judge Presiding

WE CONSENT



Gregory Bartko
Respondent

N/A

Attorney for Respondent



Katherine E. Jean
Attorney for Petitioner

WAKE COUNTY
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GREGORY BARTKO, ATTORNEY,)
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AFFIDAVIT OF SURRENDER
OF LAW LICENSE

Gregory Bartko, being first duly sworn, deposes and says as follows:

1. I desire to resign and hereby tender my license to practice law in North Carolina pursuant to State Bar Discipline & Disability Rule 27 NCAC 1B §.0117.

2. My resignation is freely and voluntarily rendered, and is not the result of coercion or duress. I am fully aware of the implications of submitting my resignation. I have had the opportunity to consult and have consulted legal counsel in deciding to render my resignation.

3. I am aware that there is a pending investigation by the North Carolina State Bar regarding my conviction on November 18, 2010 in the United States District Court for the Eastern District of North Carolina on one count of conspiracy, four counts of mail fraud, and one count of the sale of unregistered securities.

4. I acknowledge that the material fact upon which the investigation is predicated is true, that I was convicted of those charges. *I also intend to appeal my conviction. IF my conviction is reversed on appeal, I intend to seek reinstatement as a licensed attorney in the State of North Carolina.*

5. I am submitting my resignation because I know that if disciplinary charges were predicated upon the misconduct under investigation, I could not successfully defend against them.

This is the 4 day of JANUARY, ~~2010~~²⁰¹¹.

Gregory Bartko
GREGORY BARTKO

I, Elizabeth Ward, Notary Public of the County of Franklin, State of North Carolina, certify that Gregory Bartko personally appeared before me this day, was sworn, attested that the foregoing Affidavit is true and accurate of his own personal knowledge, and executed the foregoing Affidavit.

Sworn to and subscribed before me

This the 4 day of January, ~~2010~~²⁰¹¹.

Elizabeth Ward
Notary Public

My Commission Expires: July 31, 2013

