

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE  
GRIEVANCE COMMITTEE  
OF THE  
NORTH CAROLINA STATE BAR  
22G0740

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|                      |   |           |
|----------------------|---|-----------|
| IN THE MATTER OF     | ) |           |
|                      | ) | REPRIMAND |
| FREDERICK N. HADLEY, | ) |           |
| ATTORNEY AT LAW      | ) |           |

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On July 20, 2023 the Grievance Committee of the North Carolina State Bar met and considered the grievance filed against you by R. W. The grievance was assigned to a Subcommittee, which thoroughly reviewed the results of the State Bar staff's investigation of this matter.

Pursuant to Section .0113(a) of the Discipline and Disability Rules of the North Carolina State Bar, the Grievance Subcommittee conducted a preliminary hearing. After considering the information available to it, including your response to the letter of notice, the Grievance Subcommittee found probable cause. Probable cause is defined in the rules as "reasonable cause to believe that a member of the North Carolina State Bar is guilty of misconduct justifying disciplinary action."

The rules provide that after a finding of probable cause, the Grievance Committee may determine that the filing of a complaint and a hearing before the Disciplinary Hearing Commission are not required, and the Grievance Committee may issue various levels of discipline depending upon the misconduct, the actual or potential injury caused, and any aggravating or mitigating factors. The Grievance Committee may issue an admonition, a reprimand, or a censure to the respondent attorney.

A reprimand is a written form of discipline more serious than an admonition issued in cases in which an attorney has violated one or more provisions of the Rules of Professional Conduct and has caused harm or potential harm to a client, the administration of justice, the profession, or a member of the public, but the misconduct does not require a censure.

The Grievance Committee was of the opinion that a censure is not required in this case and issues this reprimand to you. As chairman of the Grievance Committee of the North Carolina State Bar, it is now my duty to issue this reprimand.

On June 23 and 24, 2022, you engaged in communications with K.G. via Facebook Messenger in an attempt to solicit her as a client. Several of your communications to K.G. violated Rule 7.1 in that they contained material misrepresentations of fact, or omitted a fact necessary to make the statement considered as a whole not materially misleading.

During your Facebook communications with K.G. you described settlements you obtained for other clients. In discussing those settlements, you described the cases in detail,

shared the recovery amounts, and then stated that at least one of the cases was “nearly identical” to her own. However, you failed add any qualifying language to adequately inform K.G. that the results in those cases did not guarantee a similar outcome in her case. Given your failure to communicate such appropriate qualifying language in conjunction with your detailed descriptions of the cases, including that at least one of those cases was “nearly identical” to her own, your statements would lead a reasonable person to form an unjustified expectation that they could obtain the same result in violation of Rule 7.1.

You stated to K.G. that you and your “colleagues” handle serious accidental death cases, and that you have “teams of lawyers in Indianapolis and Asheville and Charlotte.” You further stated that “[w]ith covid, I’ve been working largely from my home office.” However, you are a solo practitioner who will associate with other lawyers from separate law firms to handle specific cases. Furthermore, you operate out of a home office regardless of the covid pandemic. These statements to K.G were material misrepresentations in violation of Rule. 7.1.

You also made statements to K.G. referencing “our grief counselors.” However, you do not employ any grief counselors as members of your law firm, but instead refer clients to a grief counselor not otherwise associated with your firm. These statements to K.G were material misrepresentations in violation of Rule 7.1.

In issuing this Reprimand the Grievance Committee took into account your lack of prior discipline for the same or similar conduct, that you violated the Rules of Professional Conduct in only one matter, your failure to acknowledge the wrongful nature of your conduct, the lack of any indication of reformation, and the likelihood of repetition of the misconduct.

You are hereby reprimanded by the North Carolina State Bar for your professional misconduct. The Grievance Committee trusts that you will heed this reprimand, that it will be remembered by you, that it will be beneficial to you, and that you will never again allow yourself to depart from adherence to the high ethical standards of the legal profession.

In accordance with the policy adopted July 23, 2010 by the Council of the North Carolina State Bar regarding the taxing of administrative fees and investigative costs to any attorney issued a reprimand by the Grievance Committee, an administrative fee in the amount of \$350.00 is hereby taxed to you.

Done and ordered, this the 1<sup>st</sup> day of September, 2023.

A handwritten signature in black ink, appearing to read "Kevin G. Williams", is written over a light gray rectangular background.

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Kevin G. Williams, Chair  
Grievance Committee

KGW/lb