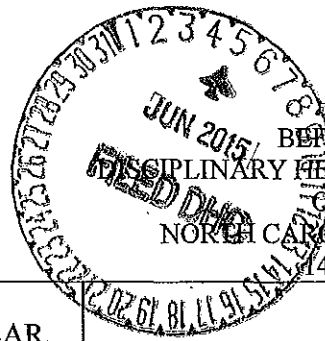


STATE OF NORTH CAROLINA  
WAKE COUNTY



BEFORE THE  
DISCIPLINARY HEARING COMMISSION  
OF THE  
NORTH CAROLINA STATE BAR  
14 DHC 8

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

WILLIAM WALLACE RESPESS, JR.,  
Attorney,

Defendant

CONSENT ORDER OF  
DISCIPLINE

This matter was considered by a Hearing Panel of the Disciplinary Hearing Commission ("DHC") composed of Barbara B. Weyher, Chair, and members Renny W. Deese and Mark S. Edwards, pursuant to North Carolina Administrative Code, Title 27, Chapter 1, Subchapter B, § .0114(h) of the North Carolina State Bar Discipline and Disability Rules ("State Bar Rules"). Plaintiff was represented by Barry S. McNeill, Deputy Counsel. Defendant, William Wallace Respass, Jr., was represented by Dudley A. Witt and David B. Freedman of Crumpler, Freedman, Parker & Witt, Winston-Salem, North Carolina. Both Plaintiff and Defendant stipulate and agree to the findings of fact and conclusions of law recited in this consent order and to the discipline imposed. Defendant has freely and voluntarily stipulated to the following findings of fact and consents to the conclusions of law and entry of the order of discipline. Defendant freely and voluntarily waives any and all right to appeal the entry of this consent order of discipline.

Based upon the pleadings in this matter, the parties' stipulations of fact, and with the consent of the parties, the Hearing Panel hereby enters the following:

#### FINDINGS OF FACT

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, William Wallace Respass, Jr. ("Respass" or "Defendant"), was admitted to the North Carolina State Bar on August 22, 1976, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

3. During all or part of the relevant periods referred to herein, Respass was engaged in the practice of law in the State of North Carolina and maintained a law office in Lenoir, Caldwell County, North Carolina.

#### **FIRST CLAIM FOR RELIEF**

4. Following neck fusion surgery in October of 2006, E.S.<sup>1</sup> ("Mrs. E.S.") became progressively addicted to the prescription drug Hydrocodone.

5. At times, Mrs. E.S. combined her ingestion of Hydrocodone with alcohol or other prescription medicines such as Xanax or Ambien.

6. During the period of her addiction until approximately April of 2012, Mrs. E.S. presented herself to her husband, family, friends, and doctors as being ill with epileptic seizures or some other serious medical condition, causing her to occasionally collapse, become disoriented, or sometimes render her unconscious, although she knew her true problem was her addiction to Hydrocodone.

7. In early April of 2012, Mrs. E.S.'s husband found her naked on the floor of their bathroom, disoriented, and uncommunicative, and transported her to the Frye Regional Medical Center in Hickory, North Carolina, where her treating doctor diagnosed her for the first time as having narcotics in her system and warned her that "if you keep this up, you are going to die."

8. Even after the warning from the doctor referenced in Paragraph 7 above, Mrs. E.S. denied taking narcotics and blamed her positive test results for narcotics on her use of an over-the-counter pill to help her sleep.

9. Following the incident in early April of 2012 referenced in Paragraph 7 above, Mrs. E.S.'s husband found a suicide note written by Mrs. E.S. in which she asked that he take care of their two daughters and she expressed that she loved their daughters.

10. Approximately one week after the incident in early April of 2012 referenced in Paragraph 7 above (April 11 or 12, 2012), Mrs. E.S.'s husband woke up and discovered her unresponsive in another room, resulting in Mrs. E.S. again being transported to Frye Regional Medical Center for evaluation and treatment.

11. During her admission referenced in Paragraph 10 above, the doctor informed Mrs. E.S.'s husband that Mrs. E.S. was addicted to drugs and had a high level of alcohol in her blood.

12. Based upon his subsequent financial investigation, Mrs. E.S.'s husband learned that Mrs. E.S. had surreptitiously drained their family's lines of credit, spending at least \$675,000 or more in order for her to purchase drugs from a local drug dealer and, then after his death, over the internet.

---

<sup>1</sup> To protect the privacy of Defendant's clients and others referenced herein, no identifying information other than their initials are included in this publically available Consent Order. However, the parties are aware of the identities of the individuals referenced herein by their initials.

13. Mrs. E.S.'s husband made arrangements for Mrs. E.S. to enter a drug rehabilitation program at Fellowship Hall, an alcohol and drug treatment center in Greensboro, North Carolina, on April 16, 2012, where she stayed for 28 days.
14. During Mrs. E.S.'s treatment at Fellowship Hall, Mrs. E.S.'s husband filed for divorce and emergency custody of their daughters on May 11, 2012.
15. Mrs. E.S. successfully completed the Fellowship Hall treatment program and was released from the program on May 14, 2012.
16. Following her treatment at Fellowship Hall referenced in Paragraphs 13 and 15 above, Mrs. E.S. remained drug-free, participated in Narcotics Anonymous ("NA"), and stayed in touch with her sponsor.
17. During May of 2012, Tracy Roberts, Mrs. E.S.'s best friend and mutual friends with Respass and his wife, Carol, at that time, telephoned Respass and asked him to meet with Mrs. E.S. about representing her in the domestic action filed against her by her husband.
18. Mrs. E.S.'s mother spoke with Respass on May 11, 2012, and was instructed to bring Mrs. E.S. to Respass's office at 5:00 p.m. on Monday, May 14, 2012.
19. Mrs. E.S.'s mother and stepfather picked up Mrs. E.S. from Fellowship Hall on May 14, 2012, and all three met with Respass that afternoon.
20. Mrs. E.S., with the financial assistance of her parents, retained Respass to represent her as the defendant in the proceeding brought by her husband for divorce, custody of their two children and equitable distribution of their marital property.
21. Mrs. E.S.'s mother and stepfather paid Respass an initial retainer of \$2,500 on behalf of their daughter on May 15, 2012, and eventually contributed a total of \$16,500 towards Respass's fee for representing Mrs. E.S., which Mrs. E.S. eventually repaid to her mother and stepfather.
22. Because of her financial instability, her ongoing rehabilitation from her drug addiction, and faced with the breakup of her marriage and family, Mrs. E.S. was mentally and emotionally vulnerable during the time that Respass began representing her in May of 2012.
23. Mrs. E.S. was age 45 when Respass began representing her in May of 2012; Respass was age 64 at that time.
24. Respass was aware of Mrs. E.S.'s past drug addiction and commitment for rehabilitation.
25. After being released from the Fellowship Hall treatment program and within 30 days of beginning to attend the meetings of NA, Mrs. E.S. began a sexual relationship with A.H., a fellow addict and NA attendee with a criminal history.

26. In early September of 2012, Tracy Roberts informed Mrs. E.S. about A.H.'s criminal history, causing Mrs. E.S. to stop her relationship with A.H., although they continued to visit one another as friends.

27. Respass became aware of Mrs. E.S.'s relationship with A.H. in October of 2012.

28. Respass married his first wife, Catherine Barnes, in May of 1972, and separated from Catherine in December of 1988; Respass and Catherine divorced in February of 1990.

29. While married to Catherine in 1982 to 1983, Respass engaged in an affair and sexual relationship with P.H., who at the time was a current client.

30. Respass began representing client M.C. in 1988, engaged in an affair and sexual relationship with M.C., and married M.C. (his second wife) in November of 1990; Respass and M.C. divorced in May 1996 after Respass began an affair and sexual relationship with C.A.C., his employee at the time.

31. In October of 1999, Respass began representing L.B. in a domestic action.

32. In December of 1999, while he was L.B.'s attorney of record, Respass visited L.B.'s apartment and engaged in sexual relations with L.B.

33. On March 24, 2000, Respass moved to withdraw from representing L.B., citing "irreconcilable differences" and L.B. consent to the motion; the motion was granted on April 7, 2000, and later that month another attorney entered an appearance as counsel on behalf of L.B.

34. In 2001, attorney Brian F. Davis of Asheville, North Carolina, wrote to Respass on behalf of L.B. claiming that Respass had engaged in malpractice by having a sexual relationship with L.B. while he represented her in her domestic action.

35. In early 2002, Respass reached a settlement agreement with L.B. and paid her the sum of \$92,500.

36. Respass married his third wife, C.A.C., on June 7, 2003, and was married to C.A.C. at the time he began representing Mrs. E.S. in 2012.

37. During the summer of 2012, C.A.C. learned that Respass and Mrs. E.S. were texting and telephoning each other as often as 14 times per day, and, as a result, C.A.C. suspected that Respass and Mrs. E.S. were having an affair.

38. Available telephone records for Respass's cell phone, beginning December 23, 2012 through September 1, 2013, confirm a pattern of numerous, almost daily telephone calls between Respass and Mrs. E.S. for which Respass did not bill Mrs. E.S.

39. Tracy Roberts and her boyfriend accompanied Respass and C.A.C. to their condominium at Myrtle Beach, South Carolina during the week of July 18-22, 2012, and Ms. Roberts noted that Respass talked about Mrs. E.S., his client, excessively.

40. Ms. Roberts warned Mrs. E.S. about engaging in a relationship with Respass, her attorney, but Mrs. E.S. assured her that she and Respass were not having an inappropriate relationship.

41. While Mrs. E.S. was residing in a Waterford Place apartment in Hickory, North Carolina, Fanny Peel Lail observed Respass going in and out of Mrs. E.S.'s apartment on approximately five occasions in June, July and August of 2012, during early morning hours.

42. On the morning of Thursday, March 7, 2013, C.A.C. asked Respass to cease his relationship with Mrs. E.S., and later that evening Respass informed C.A.C. that he wanted a divorce.

43. On Sunday, March 10, 2013, Respass moved C.A.C. to their condominium at Myrtle Beach, South Carolina, and had her sign a settlement agreement on March 20, 2013 in which she agreed, among other things, to release Mrs. E.S. from any claims arising from the dissolution of their marriage.

44. Respass and Mrs. E.S. acknowledge that by sometime in March of 2013 they had fallen in love and began a sexual relationship, with Mrs. E.S. staying overnight at his residence on most nights during April and May of 2013 when she did not have custody of or visitation with her daughters.

45. On May 29, 2013, the attorney for Mrs. E.S.'s husband, J. Steven Brackett ("Mr. Brackett"), informed Respass that his client suspected that Respass and Mrs. E.S. were engaging in a personal relationship, and Mr. Brackett warned Respass that he should withdraw from representing Mrs. E.S.

46. In early June of 2013, Mrs. E.S.'s husband warned her that her relationship with Respass, her attorney, might render any settlement invalid, to which Mrs. E.S. responded that her relationship with Respass would be public once the settlement was signed.

47. Mrs. E.S., her husband, and the judge signed the consent judgment concerning equitable distribution and permanent alimony on June 10, 2013, and the consent judgment was filed on June 13, 2013.

48. The provisions of the consent judgment filed on June 13, 2013 expressly preserved the issues of child custody and child support, but also allowed Mr. Brackett to withdraw as counsel of record for Mrs. E.S.'s husband, and allowed Respass to withdraw as counsel of record for Mrs. E.S.

49. On June 14-16, 2013, Mrs. E.S. accompanied Respass to Myrtle Beach, South Carolina for the weekend.

50. During the last week of July of 2013, Respass asked Mr. Brackett if he should withdraw as Mrs. E.S.'s attorney in the child custody matter, and Mr. Brackett advised him that he should withdraw.

51. Although the consent judgment filed on June 13, 2013 allowed Respass to withdraw as counsel of record for Mrs. E.S., he did not do so and he and his law firm continued to represent and bill Mrs. E.S. on matters in connection with her domestic case, including the following: preparing and filing a Qualified Domestic Relations Order ("QDRO") on July 30, 2013 as Mrs. E.S.'s attorney; preparing and filing an amended QDRO on August 30, 2013, again as Mrs. E.S.'s attorney; and preparing and recording a number of deeds on August 30, 2013 to comply with the consent judgment.

52. Mrs. E.S. met with attorney John F. Morrow, Sr. for the first time on August 28, 2013 about representing her in the still pending child custody and child support matters.

53. Respass and Mrs. E.S. became engaged to be married on September 3, 2013.

54. Mr. Morrow filed a Notice of Appearance in Mrs. E.S.'s domestic case on September 13, 2013.

55. Following Respass's divorce from C.A.C., on May 17, 2014 Respass and the former Mrs. E.S. were married.

56. While Respass was representing Mrs. E.S. as her attorney, Respass and Mrs. E.S. engaged in a sexual relationship.

57. Respass and Mrs. E.S. did not have a consensual sexual relationship before his legal representation of her commenced on or about May 14, 2012.

#### **SECOND CLAIM FOR RELIEF**

58. On or about June 4, 2013, while Respass was representing Mrs. E.S. as her attorney, Respass made a down payment on and financed the purchase of a vehicle for Mrs. E.S.

59. Respass made the monthly payments for Mrs. E.S. on the vehicle loan referenced in Paragraph 58 above in July, August, September and October 2013.

60. The monthly vehicle loan payments for July and August 2013, referenced in Paragraph 59 above, occurred while Respass was representing Mrs. E.S. as her attorney.

61. Respass made other monetary loans to Mrs. E.S., including a loan of \$5,000 in July 2013 towards Mrs. E.S.'s payment due on her condominium.

62. The monetary loans referenced in Paragraph 61 above occurred while Respass was representing Mrs. E.S. as her attorney.

63. The loans made by Respass to Mrs. E.S. referenced in Paragraphs 58, 59, and 61 above were not reduced to writing.

64. Respass did not advise Mrs. E.S. in writing of the desirability of seeking the advice of independent legal counsel concerning the loans referenced in Paragraphs 58, 59, and 61 above.

65. Mrs. E.S. did not consent in writing to the loans made by Respass to her referenced in Paragraphs 58, 59, and 61 above.

66. The vehicle payments and monetary loans referenced in Paragraphs 58, 59 and 61 above were made by Respass to Mrs. E.S. to help an individual with whom he had developed a close personal and emotional relationship.

67. In October of 2013, Mrs. E.S. repaid Respass all of the loans he previously made to her and took over the monthly payments on the vehicle he had purchased for her.

### **THIRD CLAIM FOR RELIEF**

68. Respass testified under oath at a November 20, 2013 deposition in the domestic action referenced in Paragraph 14 above.

69. At the deposition referenced in Paragraph 68 above, Respass testified that, other than a former domestic client by the initials of L.B. in the year 1999 and Mrs. E.S., he had never engaged in an "inappropriate" sexual relationship with any other client.

70. In testifying at the deposition referenced in Paragraphs 68 and 69 above, Respass knew at the time that he had had personal and sexual relationships with former clients P.H. in 1982-83 and M.C. in 1988, but he did not believe that such consensual sexual relations with a client was inappropriate until the adoption of Rule 1.19 of the Rules of Professional Conduct on July 24, 1997.

71. Prior to the deposition testimony by Respass referenced in Paragraphs 68 and 69 above, Respass's counsel had relayed to Plaintiff's counsel that Respass acknowledged having a personal and sexual relationship with former client P.H.

72. Although Respass's testimony at the deposition may not have been technically false because of the use of the word "inappropriate" in the question directed to Respass, Respass's answer to the question was not candid under the circumstances.

### **FOURTH CLAIM FOR RELIEF**

73. On or about July 7, 2013, Mrs. E.S. had a telephone conversation with her husband about their daughters' visitation schedule.

74. During the conversation referenced in Paragraph 73 above, Mrs. E.S. handed the telephone to Respess to discuss with Mrs. E.S.'s husband the still-pending visitation schedule issue.

75. Respess discussed with Mrs. E.S.'s husband by telephone the visitation schedule.

76. Respess was Mrs. E.S.'s attorney of record at the time of the telephone conversation referenced in Paragraphs 73-75 above.

77. Respess knew at the time of the telephone conversation referenced in Paragraphs 73-75 above that Mrs. E.S.'s husband was being represented by counsel, Mr. Brackett.

78. Following the telephone conversation between Mrs. E.S.'s husband and Respess referenced in Paragraphs 73-75 above, on July 8, 2013 Mr. Brackett forwarded to Respess a facsimile concerning Respess conversing directly with his client, amenable terms for child custody, and noting that his client believed that Respess and Mrs. E.S. were openly cohabitating such that his client's alimony payments to Mrs. E.S. would terminate following the July of 2013 payment.

#### **ADDITIONAL FINDINGS**

79. After Mrs. E.S. sought to hold her husband in contempt for ceasing to make the monthly alimony payments to her, Mrs. E.S.'s husband ultimately did not prevail on the litigation of the cohabitation argument, and he continued to pay Mrs. E.S. alimony until she married Respess.

80. Respess has a reputation in the legal community of being an excellent attorney in domestic cases.

Based upon the consent of the parties and the foregoing stipulated Findings of Fact, the Hearing Panel enters the following:

#### **CONCLUSIONS OF LAW**

1. All parties are properly before the Hearing Panel and the Panel has jurisdiction over Defendant and the subject matter of this proceeding.
2. Defendant's conduct, as set out in the stipulated Findings of Fact above, constitutes grounds for discipline pursuant to N.C. Gen. Stat. §§ 84-28(b)(2) as follows:
  - a) By engaging in a sexual relationship with Mrs. E.S. during the time she was his client and he was her attorney of record, Defendant had sexual relations with a current client in violation of Rule 1.19(a);
  - b) By making loans to Mrs. E.S., his client, without her informed consent confirmed in writing, Defendant's representation of Mrs. E.S. involved a concurrent conflict of interest in that such representation may have been

materially limited by his personal financial interest in the loans in violation of Rule 1.7(a)(2);

- c) By making loans to Mrs. E.S. while she was his client, Defendant entered into business transactions with a client without the informed written consent of the client in violation of Rule 1.8(a); and,
- d) By having the telephone conversation with Mrs. E.S.'s husband concerning the children's visitation schedule, knowing that Mrs. E.S.'s husband was represented by counsel in the ongoing domestic proceeding, Defendant engaged in a communication with a person represented by counsel in violation of Rule 4.2(a).

3. Given the specific wording of the question at the deposition about "inappropriate" sexual relationship with any other client, there is not clear, cogent, and convincing evidence that Defendant testified falsely under oath at the deposition in violation of Rule 8.4(c).

Upon the consent of the parties, the Hearing Panel also enters the following:

#### **FINDINGS OF FACT REGARDING DISCIPLINE**

1. Mrs. E.S.'s financial instability following the breakup of her marriage and family and her ongoing rehabilitation from her drug addiction made her mentally and emotionally vulnerable during the time that she was Respress's client in 2012 and 2013.
2. Defendant was aware from his settlement with Mrs. L.B. in 2002 and from the Rules of Professional Conduct that having a sexual relationship with a current client constituted professional misconduct, but nevertheless Defendant engaged in such misconduct with Mrs. E.S. instead of refraining from having a sexual relationship with her or withdrawing from her case before he commenced a sexual relationship with her.
3. Even after being encouraged in May of 2013 and again in July of 2013 to withdraw from representing Mrs. E.S., Defendant continued as Mrs. E.S.'s attorney of record in her domestic case and billed Mrs. E.S. for his and his firm's legal services during a time in which he and Mrs. E.S. engaged in a continuing sexual relationship.
4. Defendant's sexual relationship with his client, Mrs. E.S., caused litigation over whether their alleged cohabitation justified Mrs. E.S.'s husband stopping his alimony payments to her, thus jeopardizing Mrs. E.S. financially, but Mrs. E.S.'s husband ultimately did not prevail on that issue.
5. Defendant and Mrs. E.S. fell in love during the course of his representation of her, and eventually married after Defendant's divorce from C.A.C.
6. Defendant was cooperative with the State Bar's investigation, and admitted the wrongful nature of his conduct.
7. Defendant is remorseful for his conduct.

8. Based upon the recommendation of Plaintiff's counsel, Defendant has been evaluated by a psychologist who specializes in sexual disorders, and the psychologist is of the opinion that Defendant does not suffer from a diagnosable condition, such as a mood or personality disorder.

9. Defendant has a favorable reputation among his peers and colleagues.

10. Defendant has no prior discipline by the State Bar.

11. The Hearing Panel has carefully considered all of the different forms of discipline available to it, including admonition, reprimand, censure, suspension, and disbarment, in considering the appropriate discipline to impose in this case.

Based on the Findings of Fact and Conclusions of Law above and the additional Findings of Fact Regarding Discipline, the Hearing Panel makes the following:

#### **CONCLUSIONS WITH RESPECT TO DISCIPLINE**

1. The Hearing Panel has carefully considered all of the different forms of discipline available to it. In addition, the Hearing Panel has considered all of the factors enumerated in 27 N.C.A.C. 1B §.0114(w)(1) of the State Bar Rules and concludes the following factors warrant consideration of suspension of Defendant's license:

- (B) Intent of Defendant to commit acts where the harm or potential harm is foreseeable;
- (D) Elevation of Defendant's own interest above that of his client;
- (E) Defendant's actions potentially had a negative impact on the public's perception of the legal profession; and,
- (F) Defendant's actions had a negative impact on the administration of justice.

2. The Hearing Panel has considered all of the factors enumerated in 27 N.C.A.C. 1B §.0114(w)(2) of the State Bar Rules and concludes there are no factors which warrant consideration of disbarment.

3. The Hearing Panel has considered all of the factors enumerated in 27 N.C.A.C. 1B §.0114(w)(3) of the State Bar Rules and concludes the following factors are applicable:

- (B) Remoteness of prior offenses;
- (C) Presence of a selfish motive;
- (G) Defendant engaged in multiple offenses;
- (K) Cooperative attitude toward the disciplinary investigation and proceedings;

- (O) Acknowledgement of the wrongful nature of his conduct;
- (P) Defendant's remorse;
- (Q) Defendant's good character and reputation; and
- (S) Defendant's degree of experience in the practice of law;

4. The Hearing Panel has considered issuing an admonition, reprimand or censure but concludes that such discipline would not be sufficient discipline because of the gravity of the misconduct at issue and the harm or potential harm Defendant's misconduct caused to the public, the administration of justice, and the legal profession.

5. The Hearing Panel finds that an order imposing discipline short of suspension of Defendant's law license would not adequately protect the public, the legal profession, or the administration of justice for the following reasons:

- a) The factors under 27 N.C.A.C. 1B §.0114(w)(1) and (w)(3) that are established by the evidence are of a nature that support imposition of suspension as the appropriate discipline; and,
- b) Entry of less serious discipline would fail to acknowledge the seriousness of the offenses Defendant committed and would send the wrong message to other attorneys and the public regarding the conduct expected of members of the Bar in this State.

Based upon the foregoing findings of fact and conclusions of law and the findings of fact and conclusions regarding discipline, and based upon the consent of the parties, the Hearing Panel enters the following:

#### **ORDER OF DISCIPLINE**

1. Defendant, William Wallace Respass, Jr., is hereby suspended from the practice of law for two years, effective 30 days from service of this order upon Defendant.
2. Defendant shall comply with the wind down provisions of 27 N.C.A.C. 1B § .0124 of the State Bar Rules.
3. Within 15 days of the effective date of this Order, Defendant shall provide the State Bar's Office of Counsel with an address and telephone number at which clients seeking return of files can communicate with Defendant and obtain such files, and Defendant shall promptly provide client files to all clients who request return of their files.
4. Six months after the effective date of this Order, Defendant may seek a stay of the remaining period of suspension by filing a motion in the DHC demonstrating by clear, cogent and convincing evidence that Defendant has met all requirements for

reinstatement set out in 27 N.C.A.C. 1B § .0125(b), and has complied with each of the following conditions:

- a) Defendant shall submit his license and membership card to the Secretary of the North Carolina State Bar no later than 30 days from the effective date of his suspension;
- b) Defendant shall comply with all provisions of 27 N.C.A.C. 1B § .0124 of the State Bar Rules on a timely basis;
- c) Defendant shall timely submit his annual Continuing Legal Education ("CLE") report form to the CLE Department of the North Carolina State Bar each year of the suspension and contemporaneously send a copy of the CLE report form to the Office of Counsel of the State Bar to document compliance with the above condition. "Timely" means by the date specified by the CLE department as the date by which members must submit their annual report forms to avoid assessment of a \$75.00 late filing penalty. Defendant must ensure the Office of Counsel receives a copy of his annual CLE report form no later than 15 days after it is due to the CLE department of the State Bar each year;
- d) Defendant shall pay all State Bar Membership dues and Client Security Fund assessments and comply with all CLE requirements on a timely basis;
- e) Defendant shall keep current his address of record with the North Carolina State Bar, accept all certified mail from the North Carolina State Bar, and respond to all letters of notice and requests for information from the North Carolina State Bar by the deadlines stated in the communication;
- f) Defendant shall not violate any of the Rules of Professional Conduct in effect during the period of the suspension;
- g) Defendant shall not violate any laws of the State of North Carolina or of the United States during the period of the suspension; and
- h) Defendant shall pay all costs and administrative fees of this proceeding as assessed by the Secretary within thirty (30) days after service of the notice of costs on him.

5. If Defendant complies with the above conditions and is granted a stay of his suspension, the stay will remain in effect only if Defendant complies, and continues to comply, with all of the conditions in Paragraph 4(a)-(h).

6. If during the stay of the suspension authorized by this Order Defendant fails to comply with any one or more of the conditions stated above, then the stay of the suspension of his law license may be lifted as provided in 27 N.C.A.C. 1B § .0114(x) of the State Bar Rules, and the DHC may enter an order imposing such conditions as it deems proper for the reinstatement of Defendant's license at the end of the suspension.

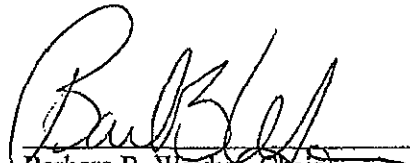
7. If Defendant does not obtain a stay of the suspension imposed by this Order, to be reinstated at the end of the two-year-term of suspension Defendant must demonstrate by clear, cogent and convincing evidence that Defendant has met all requirements for reinstatement set out in 27 N.C.A.C 1B § .0125, and has complied with the provisions of Paragraph 4(a)-(h) above.

8. Defendant is taxed with the administrative fees and costs of this action as assessed by the Secretary, which shall be paid within thirty (30) days of service of the notice of costs upon Defendant.

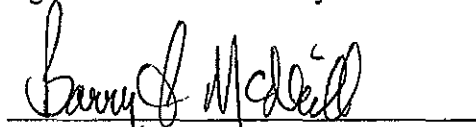
9. The Disciplinary Hearing Commission will retain jurisdiction of this matter pursuant to 27 N.C.A.C. 1B § .0114(x) of the State Bar Rules throughout the period of the suspension.

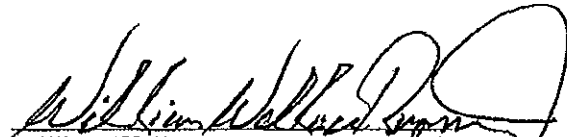
Signed by the undersigned Hearing Panel Chair with the consent of the other Hearing Panel members.

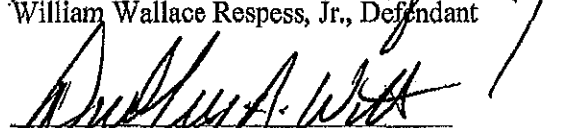
This the 4th day of June 2015.

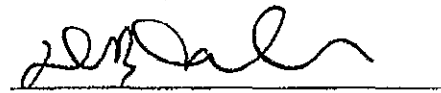
  
Barbara B. Weyher, Chair  
Disciplinary Hearing Panel

Agreed and consented to by:

  
Barry S. McNeill  
Attorney for Plaintiff

  
William Wallace Respass, Jr., Defendant

  
Dudley A. Witt  
Attorney for Defendant

  
David Freedman  
Attorney for Defendant