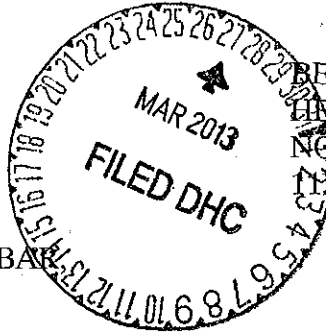


STATE OF NORTH CAROLINA  
WAKE COUNTY



BEFORE THE DISCIPLINARY  
HEARING COMMISSION OF THE  
NORTH CAROLINA STATE BAR  
DHC10

THE NORTH CAROLINA STATE BAR

Plaintiff,  
Vs.

ORDER

GARY SCARZAFAVA,

Defendant.

THIS matter was heard on the 21<sup>st</sup> and 22<sup>nd</sup> days of June, 2012, the 4<sup>th</sup> and 5<sup>th</sup> days of October, 2012, the 18<sup>th</sup> day of January, 2013 and the 25<sup>th</sup> day of March, 2013 before the Hearing Panel of the Disciplinary Hearing Commission composed of the Chair, Steven D. Michael, and members Karen B. Ray and Ronald R. Davis. Barry S. McNeill represented the Plaintiff, the North Carolina State Bar. Gary Scarzafava represented himself. Based upon the pleadings and the evidence introduced at the hearing, the hearing panel by a majority vote, finds that the North Carolina State Bar failed to meet its burden to prove the allegations that Defendant violated the Rules of Professional Conduct by clear, cogent and convincing evidence and this case is accordingly dismissed.

Signed by the Chair with the consent of the other hearing panel members, this the 26<sup>th</sup> day of March, 2013.

  
STEVEN D. MICHAEL, Chair