

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2015-0004, In the Matter of Paul F. Coddington, Jr., Esquire

On March 24, 2015, the Professional Conduct Committee (PCC) filed a petition for disbarment of Attorney Paul F. Coddington, Jr., hereinafter referred to as the respondent. In accordance with Rule 37(16), the petition was sent to the respondent by first-class and certified mail at the address he provided to the Attorney Discipline Office (ADO) during the disciplinary proceedings. The petition was accompanied by an order requiring the respondent to file an answer to the petition within 30 days of service. The copies of the petition and order sent by certified mail were returned to the court unclaimed. The copies sent by first-class mail were not returned. The respondent has not filed a response to the petition. Therefore, in accordance with Rule 37(16)(c), the allegations of the PCC's petition are deemed admitted.

The matter was submitted initially to a hearing panel and thereafter to the PCC based on a stipulation of facts and violations agreed to by Disciplinary Counsel and the respondent. According to the stipulation, the conduct that is the basis for the petition for disbarment occurred in 2011 and 2012. At that time, the respondent was a suspended attorney; he had been suspended from the practice of law by the court in March 2007 and had not been reinstated. In 2011, the respondent was hired by a law firm as a paralegal. He stipulated that while employed by the law firm he violated the following Rules of Professional Conduct:

- 1) Rule 4.1, which prohibits a lawyer from knowingly making a false statement of material fact or law to a third person. The respondent stipulated that he violated this rule by falsely representing to the attorney employing him that he had applied for reinstatement to the bar. He further stipulated that the employer relied on this misrepresentation as the basis for allowing him to accompany a client to court and to begin to handle client matters.
- 2) Rule 8.4(c), which makes it professional misconduct to engage in conduct involving dishonesty, fraud, deceit or misrepresentation. The respondent stipulated that he violated this rule by falsely representing to his employer that he had applied for reinstatement, by failing to

correct the employer's representation to a client regarding his status and his ability to participate in a court hearing, and by failing to affirmatively advise the client that he had been suspended for misconduct.

- 3) Rule 8.4(a), which make it professional misconduct to violate the Rules of Professional Conduct.

The PCC found by clear and convincing evidence that the respondent violated these rules. It recommended that the court disbar the respondent, and that it impose several conditions on his readmission.

Having reviewed the petition and the PCC's record, the court accepts the PCC's findings and its recommendation that Attorney Coddington be disbarred. Accordingly, the court orders as follows:

- (1) The respondent, Paul F. Coddington, Jr., is disbarred from the practice of law in New Hampshire.
- (2) The respondent shall reimburse the Attorney Discipline Office for all costs and expenses incurred in the investigation and prosecution of this matter.
- (3) The respondent may not seek readmission to the New Hampshire bar for a period of five years from the date of this order. If the respondent seeks readmission to the bar in the future, he shall be required to take the New Hampshire Bar Examination and the Multistate Professional Responsibility Examination and meet the other requirements of Rule 37(14).
- (4) As a condition of readmission, the respondent shall be required to reimburse the Attorney Discipline Office for all costs incurred in the investigation and prosecution of his prior disciplinary matter (PCC-04-095/LD-2005-0009).
- (5) As a condition of readmission, the respondent shall be required to submit an affidavit with his application for readmission certifying that he has not engaged in any work in the legal field in any capacity since the date of this order.
- (6) In accordance with Rule 37(13)(a) and (b), the respondent is ordered to notify any clients in pending matters, including litigated matters and administrative proceedings, of his disbarment and consequent

inability to act as an attorney, and shall advise the clients to seek new legal counsel.

Dalianis, C.J., and Hicks, Conboy, Lynn, and Bassett, JJ., concurred.

DATE: June 2, 2015

ATTEST:


Eileen Fox, Clerk

Distribution:
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