

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

O R D E R

LD-2010-0005, In the Matter of Thomas P. Grodt

On March 31, 2010, the Professional Conduct Committee (PCC) filed an assented-to petition for conditional stay of a three-year suspension from the practice of law of the respondent, Thomas P. Grodt. An order of notice was issued which required the respondent to file an answer to the petition. On May 19, 2010, the respondent filed an answer to the petition in which he admitted the allegations of the petition and assented to the relief requested. He conditionally waived briefing and oral argument on the petition.

Based on the petition and the respondent's answer, the court found that the respondent violated the following Rules of Professional Conduct:

- (1) Rule 1.3, by failing to act with reasonable diligence and promptness in representing his clients;
- (2) Rule 1.4(a)-(c), by failing to forward important documents to his clients, including important pleadings, motions and orders, and by failing to explain to them the legal and practical aspects of their cases;
- (3) Rule 8.1(a), by making a false statement of material fact to the Attorney Discipline Office during its investigation of his conduct;
- (4) Rule 8.4(c), by making false statements to his clients about the mishandling of their cases; and
- (5) Rule 8.4(a), by violating the Rules of Professional Conduct.

By order dated June 28, 2010, the court accepted the PCC's recommendation that the respondent be suspended for a period of three years, and that the suspension be stayed for three years on the condition that the respondent comply with specific terms set forth in the PCC's recommendation and the parties' agreement.

On December 6, 2010, the Attorney Discipline Office (ADO) filed a petition for immediate interim suspension of the respondent. It alleged that Attorney Grodt had committed a material breach of the conditions of the stay, and requested that the court order an immediate interim suspension of the respondent. That same day, the court issued an order suspending the respondent on an interim basis. The respondent was given the opportunity to show cause why the interim suspension should be lifted, but he filed no response.

On March 19, 2011, the PCC recommended that the entire three-year suspension be imposed, retroactive to December 6, 2010, the date of the respondent's interim suspension. Disciplinary counsel then filed a motion, on behalf of the PCC, requesting that the PCC's recommendation be accepted. The respondent filed no response to the motion. Having reviewed the PCC's petition and its recommendation to impose the suspended three-year suspension, the court concludes that the entire three-year suspension should be imposed, with the suspension period to run retroactively from December 6, 2010.

THEREFORE, the court orders that Attorney Thomas P. Grodt be suspended from the practice of law in New Hampshire for a period of three years, with the suspension period to run retroactively from December 6, 2010.

Attorney Grodt is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter. See Rule 37(19).

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

DATE: September 6, 2011

ATTEST:


Eileen Fox, Clerk

Distribution:

Margaret H. Nelson, Chair
Thomas P. Grodt, Esquire
Jon S. Liland, Esquire
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File