

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

**LD-2016-0014, In the Matter of Eugene A. DiMariano, Jr.,
Esquire**

On July 19, 2016, the Professional Conduct Committee (PCC) filed a recommendation that Attorney Eugene A. DiMariano, Jr. be disbarred and ordered to pay the cost related to this disciplinary matter. The recommendation was based on a stipulation in which Attorney DiMariano agreed that he had violated several Rules of Professional Conduct. In the stipulation, Attorney DiMariano conceded that disbarment is the appropriate sanction for his misconduct.

Based on the information contained in the stipulation, the court finds that Attorney DiMariano's immediate suspension from the practice of law is necessary to protect the public and to preserve the integrity of the legal profession. See Rule 37(16)(d) and (f). Accordingly, it is hereby ordered:

- (1) In accordance with Rule 37(16)(d) and (f), Attorney Eugene A. DiMariano, Jr. is immediately suspended from the practice of law in New Hampshire pending resolution of this disciplinary matter and further order of this court. Attorney DiMariano is enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial, or mixed.
- (2) A copy of the PCC's recommendation shall be served upon Attorney DiMariano by first-class and certified mail at the latest address he provided to the New Hampshire Bar Association.
- (3) Within 15 days from the date of this order, Attorney DiMariano may request a hearing on the issue of whether the interim suspension should be lifted, which will be promptly scheduled. See Reiner's Case, 152 N.H. 163 (2005).
- (4) On or before August 29, 2016, Attorney DiMariano and disciplinary counsel shall identify any legal or factual issues relating to the PCC's recommendation that Attorney DiMariano and disciplinary counsel wish the court to review. See Rule 37(16)(c). If neither party files a response

identifying issues to be reviewed, no further hearing shall be required and the court may decide this matter based upon the record of the PCC proceedings.

(5) If either party files a response to this order, an order shall be issued as to further proceedings.

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

DATE: July 28, 2016.

ATTEST:


Eileen Fox, Clerk

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