

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2019-0011, In the Matter of Michael J. Reed, Esquire**

On September 16, 2019, the Attorney Discipline Office (ADO) filed an assented-to petition for the immediate interim suspension of Attorney Michael J. Reed from the practice of law in New Hampshire. The ADO alleges that Attorney Reed has failed to respond to its requests for information and to a notice of charges. It further alleges that Attorney Reed has abandoned client matters by failing to attend scheduled court hearings, failing to respond to clients and opposing counsel, and that his actions have resulted in harm to his clients. The ADO alleges that Attorney Reed's conduct violated several Rules of Professional Conduct.

The ADO states in the petition that Attorney Reed acknowledged to the ADO that he is currently unable to competently represent clients. It states that Attorney Reed has assented to an immediate, interim suspension.

In accordance with Supreme Court Rule 37(9-A), the ADO may petition the court for the interim suspension of an attorney who it contends engaged in conduct that poses a substantial threat of serious harm to the public. If the attorney consents to the interim suspension, the court may issue an order of interim suspension, which is effective immediately. See Rule 37(9-A)(c).

Based on the information contained in the ADO petition, the court finds that Attorney Reed's continued practice of law poses a substantial threat of serious harm to the public, and, therefore, that Attorney Reed's immediate suspension from the practice of law is necessary. See Rule 37(9-A).

Accordingly, it is hereby ordered:

- (1) In accordance with Rule 37(9-A), Attorney Michael J. Reed is immediately suspended from the practice of law in New Hampshire pending the outcome of the ADO's investigation and further order of this court.
- (2) Copies of the petition for immediate interim suspension and of this order shall be served on Attorney Reed by first class mail at the address provided by the ADO and at the latest address that Attorney Reed provided to the New Hampshire Bar Association.

- (3) Attorney Reed is enjoined from further use of his IOLTA account. He is further enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed.

Pursuant to Supreme Court Rule 37(17), the court appoints Attorney Andrea Q. Labonte, ADO Assistant General Counsel, to take immediate possession of the client files and trust and other fiduciary accounts of Attorney Reed, and to take the following actions:

- (1) Attorney Labonte shall notify all banks and other entities where Attorney Reed has trust or fiduciary accounts and operating accounts of Attorney Reed's suspension from the practice of law and of Attorney Labonte's appointment by the court.
- (2) Attorney Labonte shall notify clients of Attorney Reed of his suspension, inform them of any scheduled hearings, advise them to obtain the services of other lawyers of their choice, and advise them how they or their new attorneys may obtain their files. Attorney Labonte shall not undertake the representation of any of Attorney Reed's clients, however.
- (3) Attorney Labonte shall notify the courts in which any hearings are scheduled in the near future of Attorney Reed's suspension.
- (4) Attorney Labonte shall prepare an inventory of Attorney Reed's client files and shall file a copy of the inventory with the Supreme Court on or before November 4, 2019, together with a report of her actions taken under this order and recommendations as to what further actions should be taken.
- (5) If Attorney Reed was in possession of any client funds or property, Attorney Labonte shall file an appropriate motion requesting authority to distribute them.

Attorney Reed is ordered to cooperate with Attorney Labonte in performing the tasks as directed by the court. The expenses of Attorney Labonte shall be paid in the first instance from the funds of the Professional Conduct Committee, which may seek reimbursement from Attorney Reed.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: September 19, 2019

ATTEST:

  
**Eileen Fox, Clerk**

Distribution:

Michael J. Reed, Esquire

Elizabeth M. Murphy, Esquire

Andrea Q. Labonte, Esquire

File