

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2023-0011, In the Matter of Kyle A.H. McDonald, Esquire

On June 30, 2023, the Professional Conduct Committee (PCC) filed a recommendation that Attorney Kyle A.H. McDonald be suspended from the practice of law for a period of one year, with the suspension stayed for one year on the condition that Attorney McDonald comply with certain requirements. The PCC also recommended that Attorney McDonald be ordered to pay the costs associated with the investigation and enforcement of the disciplinary matter. The PCC's recommendation approved a stipulation signed by Attorney McDonald, his counsel, and the Attorney Discipline Office's disciplinary counsel, in which Attorney McDonald agreed that he had violated several Rules of Professional Conduct and further agreed that the appropriate sanction for these violations was a one-year suspension, with the suspension conditionally stayed for one year. Attorney McDonald expressly waived his right to a hearing before the court. In accordance with Rule 37(16), because this matter was resolved by a dispositive stipulation, the court may consider this matter without further notice and hearing.

Based on the parties' stipulation, the PCC found that Attorney McDonald violated the following Rules of Professional Conduct as a result of his having "effectively abandoned" two client matters in litigation:

1. Rule 1.2, which requires a lawyer to abide by the client's decisions concerning the objectives of representation and to consult with the client as to the means by which they are to be pursued;
2. Rule 1.3, which requires a lawyer to act with reasonable diligence and promptness in representing a client;
3. Rule 1.4, which requires a lawyer to keep a client reasonably informed about the status of the client's matter;
4. Rule 1.15, which requires a lawyer to properly maintain and promptly deliver funds to which the client is entitled;
5. Rule 8.1, which prohibits a lawyer from knowingly failing to respond to a lawful demand for information from a disciplinary authority; and

6. Rule 8.4(a), which states that it is professional misconduct for a lawyer to violate the Rules of Professional Conduct.

The court has reviewed the PCC's findings and rulings and concludes that they are supported by the record. The court accepts the PCC's recommendation for the appropriate sanction for this misconduct, and concludes that a one-year suspension from the practice of law, with the suspension conditionally stayed for one year, is warranted. The court approves the conditions of the stay, which are set forth in the stipulation. The stipulation also sets forth a procedure to be followed if it is alleged that Attorney McDonald has not complied with a condition or conditions.

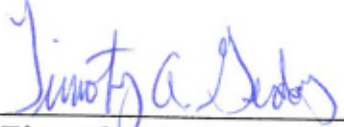
Accordingly, having approved the PCC's findings, rulings, and recommended sanction, the court orders as follows:

- (1) Attorney Kyle A.H. McDonald is suspended from the practice of law in New Hampshire for a period of one year, effective as of June 30, 2023, with the suspension stayed for one year from that date on the condition that Attorney McDonald comply with the requirements set forth in the stipulation; and
- (2) Attorney McDonald is ordered to reimburse the Attorney Discipline Office for all costs and expenses incurred by the attorney discipline system in the investigation and prosecution of this matter.

MacDonald, C.J., and Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

DATE: November 29, 2023

ATTEST:


Timothy A. Gudas, Clerk

Distribution:
Professional Conduct Committee, 22-012 and 22-018
Kyle A.H. McDonald, Esq.
Christopher D. Hawkins, Esq.
Sara S. Greene, Esq.
File

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2023-0011, In the Matter of Kyle A.H. McDonald, Esquire

On November 29, 2023, the court suspended the respondent, Attorney Kyle A.H. McDonald, from the practice of law for one year, effective June 30, 2023, with the suspension stayed for one year on the condition that Attorney McDonald comply with certain requirements.

The Professional Conduct Committee (PCC) has filed an order recommending that the court impose the one-year suspension. The PCC's order approved an assented-to motion for the imposition of the suspension. The assented-to motion stated that Attorney McDonald violated a condition of the stay by engaging in further professional misconduct.

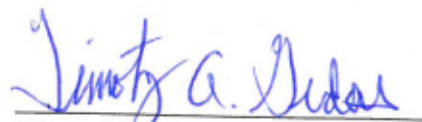
Having reviewed the PCC's order, the court agrees with the recommendation and orders as follows:

- (1) Attorney Kyle A.H. McDonald is suspended from the practice of law in New Hampshire for one year, effective immediately; and
- (2) Attorney McDonald is ordered to reimburse the Professional Conduct Committee for all costs and expenses incurred in the investigation and enforcement of the disciplinary matters.

MacDonald, C.J., and Bassett, Donovan, and Countway, JJ., concurred.

DATE: September 18, 2024

ATTEST:


Timothy A. Gudas, Clerk

Distribution:

Professional Conduct Committee, 22-012 and 22-018

Kyle A.H. McDonald, Esq.

Christopher D. Hawkins, Esq.

Sara S. Greene, Esq.

File