

New Hampshire Supreme Court
Professional Conduct Committee

a committee of the attorney discipline system

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Concord, New Hampshire 03301
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Stephanie C. Hausman, Esq., Chair
Caroline K. Leonard, Esq., Vice Chair
Katheen M. Ames, Vice Chair
Trudy Renfors, Administrative Assistant

Siegal, Byron J.

Advs.

Attorney Discipline Office
#21-014

ORDER

A Request to Resign and Affidavit in Support Thereof Pursuant to Rule 37(11), Agreement to Pay Costs of Disciplinary Matter, and Assented-To Motion for Protective Order were filed on September 28, 2023.

On October 17, 2023, the Committee reviewed these pleadings and voted to accept the Request to Resign, to approve the Agreement to Pay Costs, and to grant the Motion for Protective Order.

October 23, 2023

/s/ Stephanie C. Hausman
Stephanie C. Hausman

cc: Elizabeth M. Murphy, Assistant Disciplinary Counsel
Byron J. Siegal, Esq.

NEW HAMPSHIRE SUPREME COURT
PROFESSIONAL CONDUCT COMMITTEE

Siegal, Byron J.

advs.

Attorney Discipline Office

#21-014

REQUEST TO RESIGN AND AFFIDAVIT IN SUPPORT
THEREOF PURSUANT TO RULE 37(11)

NOW COMES, Byron J. Siegal, and respectfully requests leave to resign from the New Hampshire Bar pursuant to New Hampshire Supreme Court Rule 37(11). In support thereof, Mr. Siegal, being duly sworn, does hereby depose and state as follows:

1. I was admitted to the New Hampshire Bar in 1984.
2. I am currently suspended from the practice of law in New Hampshire. *In the Matter of Byron J. Siegal, Esquire*, LD-2022-0006 (October 26, 2022)(issuing immediate suspension pursuant to Supreme Court Rule 37(16)(d) and (f)).
3. I do not intend to resume practicing law in New Hampshire.
4. I was also admitted to practice law in Maine on May 15, 1986. My current status with the Maine Bar is listed as “Inactive Non-Resident status.”
5. I do not have a prior public disciplinary history.

6. My current home address is 3 Avalon Drive, Unit 3518, Quincy, MA 02169.
7. My resignation from the Bar is tendered freely and voluntarily. I am not under any duress, subject to any coercion, or medically impaired, and I am fully aware of and accept the implications of submitting this request and resigning from the Bar.
8. The ADO docketed a complaint against me on July 15, 2021, following receipt of a referral filed by Anne M. Edwards, General Counsel for the New Hampshire Attorney General's Office dated June 3, 2021, related to an indictment brought against Camp for Grownups, LTD.
9. I had been the owner, the principal stockholder and President of Camps for Grownups, a New Hampshire corporation. I managed this corporation, and its prior corporation, JazzVermont, since its inception in 1985. At all times, I was the person responsible for the actions of the corporation.
10. From 1985-2019, I moved money in and out of the corporations as needed. In 2019, my financing failed and I was unable to provide the funds to complete the camp that year. At no time did I intend to mislead the participants and I had every intention of providing the camp as advertised. In the 2019 year, I failed to anticipate all the necessary contingencies and the result described below occurred.
11. In November 2020, Camps for Grownups was indicted for Regulation of Business Practices for Consumer Protection – Acts Unlawful (RSA 358-

A:2). The indictment is attached hereto as Exhibit A.

12. My misconduct is specifically set forth in the indictment. The indictment alleged that Camps for Grownups used unfair or deceptive acts or practices within the meaning of RSA 358:2 because:

a. Camps for Grownups caused email solicitations to be sent which encouraged consumers to register for the Jazz Camp scheduled for August 19, 2019, at a time when the business lacked sufficient funds or a reasonable anticipated source of future funding to hold the camp as advertised;

b. Camps for Grownups advertised and promoted the Jazz Camp scheduled for August 19, 2019 on the website “www.jazzcamp.com” which created the impression that the camp was moving forward as scheduled, at a time when the business lacked sufficient funds or an anticipated source of future funding to hold the camp as advertised.

13. On July 12, 2022, the company plead guilty to RSA 358-A:2 (Acts Unlawful).

14. As a part of the sentencing, the corporation agreed to pay restitution of \$131,489.70. The House of Corrections Sentence is attached hereto as Exhibit B.

15. I admit that the conduct as set forth in the indictment violates at least the following Rules of Professional Conduct:

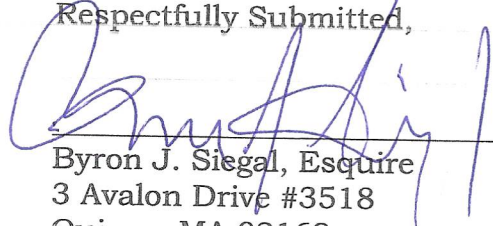
a. Rule 8.4(b) (Committing a Criminal Act);

b. Rule 8.4(c) (Conduct Involving Dishonest, Fraud, Deceit, or Misrepresentation)

16. I waive the confidentiality of this Request to Resign and Affidavit, as well as the attached Exhibits.
17. The ADO does not object to my resignation.
18. In the unlikely event that I apply for readmission to the Bar, I understand that the ADO may object to my application and, in its discretion, may bring forward and prosecute this underlying disciplinary matter to a sanction. I waive my defenses and my right to assert that such prosecution would be barred by the statute of limitations. I understand that I will be bound by my representations and admissions as contained in my Request to Resign and Affidavit and related attachments. I also understand that in the event I apply for readmission, this matter may be presented to the Committee on Character and Fitness.
19. I agree to pay the costs incurred by the ADO in the investigation and pursuit of this disciplinary matter. My agreement to pay costs is the subject of a separate agreement.
20. I request that the Professional Conduct Committee recommend to the Supreme Court that this resignation be accepted.

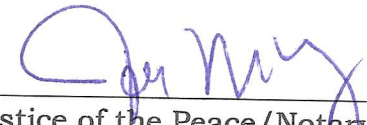
Respectfully Submitted,

Dated: 9/28/2023


Byron J. Siegal, Esquire
3 Avalon Drive #3518
Quincy, MA 02169.
(617) 773-6641

STATE OF MASSACHUSETTS
COUNTY OF NORFOLK

On this 28 day of September, 2023, personally appeared the above named Byron J. Siegal, Esquire, and made solemn oath that the facts above are true to the best of his knowledge and belief.


Justice of the Peace/Notary Public
My Commission Expires: 4-17-2026



JOAN M FOY
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 17, 2026



THE STATE OF NEW HAMPSHIRE
INDICTMENT

ROCKINGHAM, SS.
STATEWIDE GRAND JURY
HOLDEN AT CONCORD

NOVEMBER TERM, 2020

At the Superior Court, holden at Concord, convened a statewide grand jury, upon the 16th day of November, in the year of our Lord Two Thousand and Twenty.

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

Camps for Grownups, LTD.
PO Box 4179
Portsmouth, NH 03802

At Nottingham, within Rockingham County, New Hampshire, between April 1, 2019, and July 21, 2019, did commit the crime of

REGULATION OF BUSINESS PRACTICES FOR CONSUMER PROTECTION-ACTS
UNLAWFUL
(RSA 358-A:2)

In that Camps for Grownups, LTD., a non-natural person, purposely used any or all of the below listed unfair or deceptive acts or practices within the meaning of RSA 358-A:2 in the conduct of any trade or commerce within this state:

1. Camps for Grownups, LTD., caused email solicitations to be sent which encouraged consumers to register for the Jazz Camp scheduled for August 19, 2019, at a time when the business lacked sufficient funds or a reasonable anticipated source of future funding to hold the camp as advertised;
2. Camps for Grownups, LTD., advertised and promoted the Jazz Camp scheduled for August 19, 2019 on the website "www.jazzcamp.com" which created the impression that the camp was moving forward as scheduled, at a time when the business lacked sufficient funds or an anticipated source of future funding to hold the camp as advertised;

The said act being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Brandon H. Garod (Bar # 21164)
Senior Assistant Attorney General

This is a true bill.

Foreperson

Plea of Guilty
Entered July 12, 2022

Honorable Mark D. Attorri

Plea of Not Guilty
Entered April 23, 2021

Honorable Marlin P. Honigberg

Name: Camps for Grownups. LTD.
Address: P.O. Box 4179, Portsmouth, New Hampshire 03802
Penalty/RSA: Felony (RSA 358-A:6; RSA 651:2. IV)
218-2020-CR-01085
CID #1812057C

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT



Rockingham Superior Court
Rockingham Cty Courthouse/PO Box 1258
Kingston NH 03848-1258

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
http://www.courts.state.nh.us

RETURN FROM SUPERIOR COURT – NON-HOUSE OF CORRECTIONS

Case Name: **State v. Camps for Grownups, LTD.**

Case Number: **218-2020-CR-01085**

Name: **Camps for Grownups, LTD., 3 Avalon Drive #3518 Quincy MA 02169**

DOB:

Charging document: Indictment

Offense: Unlawful Business Practices (non-p)

GOC:

Charge ID: 1812057C

RSA: 358-A:2

Date of Offense: April 01, 2019

Disposition: Guilty/Chargeable By: Plea

A finding of **GUILTY/CHARGEABLE** is entered.

Conviction: Felony

Sentence: see attached

True Copy Attest

Jennifer M. Haggar, Clerk of Court
August 12, 2022



July 12, 2022
Date

Hon. Mark D. Attorri
Presiding Justice

Jennifer M. Haggar
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **Rockingham County House of Corrections**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: _____
Clerk of Court

SHERIFF'S RETURN

I DELIVERED THE DEFENDANT TO THE **Rockingham County House of Corrections** and gave a copy of this order to the Superintendent.

Date

Sheriff

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor Brandon H. Garod, ESQ Defendant Defense Attorney Camps for Grownups, LTD.
 Sex Offender Registry Other _____ _____ Dist Div. _____

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: Rockingham Superior Court
Case Name: State v. Camps for Grownups, Ltd.
Case Number: 218-2020CR-01085 Charge ID Number: 1812057C
(if known)

HOUSE OF CORRECTIONS SENTENCE

Plea/Verdict: <u>Guilty</u> <input type="checkbox"/>	
Crime: <u>Acts Unlawful- RSA 358-A:2</u>	Date of Crime: <u>04/01/2019</u>

A finding of GUILTY/TRUE is entered.

CONVICTION

This conviction is for a Felony

- A. The defendant has been convicted of Domestic Violence contrary to RSA 631:2-b or of an offense recorded as Domestic Violence. See attached Domestic Violence Sentencing Addendum.
- B. The defendant has been convicted of a misdemeanor, other than RSA 631:2-b or an offense recorded as Domestic Violence, which includes as an element of the offense, the use or attempted use of physical force or threatened use of a deadly weapon, and the defendant's relationship to the victim is:

OR The defendant is cohabiting or cohabited with victim as a _____
OR A person similarly situated to _____

CONFINEMENT

- A. The defendant is sentenced to the House of Corrections for a period of _____
Pretrial confinement credit is _____ days.
- B. This sentence is to be served as follows:
- Stand committed Commencing _____
 - Consecutive weekends from _____ PM Friday to _____ PM Sunday beginning _____
 - _____ of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after hearing at the request of the State. The suspended sentence begins today and ends _____ years from today or release on charge ID number _____
 - _____ of the sentence is deferred for a period of _____
The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of _____
Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for the defendant's arrest.
- Other: _____
- C. The sentence is consecutive to case number and charge ID _____
 concurrent with case number and charge ID _____
- D. The court recommends to the county correctional authority:
- Work release consistent with administrative regulations.
 - Drug and alcohol treatment and counseling.
 - Sexual offender program.
 - _____

Case Name: State v. Camps for Grownups, Ltd.

Case Number: 218-2020CR-01085

HOUSE OF CORRECTIONS SENTENCE

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

PROBATION

- A. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the probation/parole officer.
Effective: Forthwith Upon release from _____
The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Field Office.
- B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.

FINANCIAL OBLIGATIONS

A. Fines and Fees:

Fine of \$ 100,000.00, plus a statutory penalty assessment of \$ 24,000.00 to be paid:

Today

By _____

Through the Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.

\$ 100,000.00 of the fine and \$ 24,000.00 of the penalty assessment is suspended for 10 year(s).

A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.

B. Restitution:

The defendant shall pay restitution of \$ 131,489.70 to See attached restitution order

Restitution shall be paid through the Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.

At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.

Restitution is not ordered because: _____

C. Appointed Counsel: NOTE: Financial Obligations, Section C is NOT a term and condition of the sentence.

The Court finds that the defendant has the ability to pay:

counsel fees and expenses in the amount of \$ _____

payable through _____ in the amount of \$ _____ per month.

The Court finds that the defendant has no ability to pay counsel fees and expenses.

Case Name: State v. Camps for Grownups, Ltd.

Case Number: 21R-2020CR-01085

HOUSE OF CORRECTIONS SENTENCE

OTHER CONDITIONS

- A. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. The defendant's _____ in New Hampshire is revoked for a period of _____ effective _____
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the _____
- D. The defendant shall perform _____ hours of community service and provide proof to _____ within _____ of today's date.
- E. The defendant is ordered to have no contact with _____ either directly or indirectly, including but not limited to contact in-person, by mail, phone, e-mail, text message, social networking sites and/or third parties.
- F. Law enforcement agencies may destroy the evidence return evidence to its rightful owner after 4 years from the date hereof
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

Camps for Grownups, LTD, and its owners or agents shall not accept any prepayments or deposits for services for a period of 10 years or until the terms of this agreement are satisfied in full, whichever occurs first.

For Court Use Only



Honorable Mark D. Attori

July 12, 2022

RESTITUTION ORDER

Court: Rockingham Superior Court

Case: State v. Camps for Grownups, Ltd.

Case Number: 218-2020-CR-1085 **Charge ID#** 1812057C

The parties agree that restitution in this matter shall be repaid in accordance with this order.

- Camps for Grownups, LTD shall pay \$131,489.70 in restitution.
- Minimum payments of \$400 shall be made to the Attorney General's Office.
- Payments shall be made on or by the first day of each month.
- The Attorney General's Office shall hold the funds in escrow and shall make disbursements to victims identified below annually or whenever the balance of the account is at least \$4,800.
- Camps for Grownups may petition the court to temporarily suspend payments at any time if it can show by a preponderance of evidence that due to health limitations of its president, Camps for Grownups is currently incapable of making payments if ordered.
- Camps for Grownups may pay the balance, or any portion of the restitution owed at any time.
- Camps for Grownups owes restitution as follows:

Last Name	First Name	Amount Owed
Alexander	Steven	\$1,569.00
Arenz	Thomas	\$1,569.00
Arnold	Alyson	\$1,099.00
Bennett	Jeffrey	\$2,130.95
Berggren	Richard	\$1,658.00
Bishop	John	\$1,399.00
Bradshaw	Janelle	\$1,269.00
Butler	Mark	\$1,658.00
Butler	Kevin	\$1,554.00
Butts	Phillip	\$1,908.00
Campbell	Boyd	\$1,534.00

Casey	Larry	\$899.00
Chalmers	Michael	\$1,768.00
Dawson	Carolyn	\$1,658.00
Dekalb	Baron	\$1,608.00
Delorenzo	Gary	\$1,569.00
Derry	Sharon	\$1,779.00
Dionne	Michael	\$1,569.00
Doganiero	Rich	\$2,065.00
Durkee	Michael	\$1,519.00
Ellwanger	George	\$1,898.00
Erb	Barry	\$2,338.00
Farris	Lindsay	\$1,319.00
Farris	Ursula	\$1,319.00
Ferraiolo	Sherry	\$1,649.00
Finkel	Alan	\$1,779.00
Finkelstein	Michael	\$1,524.00
Fisher	Joann	\$974.00
Fitzgerald	Pamela	\$1,249.00
Fuchs	Louis	\$1,579.00
Getman	Paul	\$1,779.00
Gish	Rebecca	\$1,349.00
Graham	Jesse	\$1,510.00
Gunther	John	\$1,779.00
Green	Stuart	\$1,569.00
Harris	Daniel	\$840.00
Herzfeld	John	\$1,569.00
Hooper	Michael	\$1,569.00
Jacob	Joseph	\$1,149.00
Janosky	Milt	\$1,569.00
Kain	Wendy	\$1,319.00
Kendall	Christopher	\$1,569.00
Ketelson	Mark	\$1,579.00
Kindlon	Daniel	\$1,149.00
Lataille	Leon	\$1,149.00

Laver	Brad	\$1,319.00
Laver	Nancy	\$1,244.00
Lesser	Peter	\$1,599.00
Long	Randolph	\$1,367.25
Madden	Mark	\$1,779.00
Marks	Owen	\$1,569.00
Mayer	Scott	\$1,953.50
Maynard	Deb	\$1,569.00
McCoy	Kevin	\$1,249.00
Medina	Enrique	\$1,714.00
Merrill	Robert	\$1,099.00
Minderhout	William	\$1,868.00
Mittman	Janet	\$1,704.00
Morris	Michael	\$2,338.00
Noris	Buford	\$1,334.00
Papanek	John	\$1,569.00
Parsley	David	\$1,658.00
Pemberton	Peter	\$1,658.00
Pittel	Elliot	\$1,569.00
Playfair	Sanchia	\$1,779.00
Priori	Larry	\$1,000.00
Quest	Donald	\$3,194.00
Russell	David	\$1,399.00
Sanborn	Ann	\$1,679.00
Schaffner	Frederick	\$1,249.00
Schauer	Donald	\$2,338.00
Senatore	Peter	\$1,658.00
Shea	Raymond	\$495.00
Sinaikin	Phillip	\$1,249.00
Sleeper	William	\$2,338.00
Smith	Phillip	\$1,569.00
Soffer	Mark	\$1,658.00
Stiles	John	\$1,519.00
Stockwell	Lance	\$1,679.00

Sudbey	Karen	\$1,349.00
Wallace	Thomas	\$584.00
Wiggins	Marlin	\$1,599.00
Wilson	James	\$1,569.00
Wood	Donna	\$1,000.00
Zink	Gregory	\$1,569.00
		\$131,489.70