

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

O R D E R

LD-2024-0001, In the Matter of Matthew J. Plache, Esquire

On January 3, 2024, the Professional Conduct Committee (PCC) filed a recommendation that Attorney Matthew J. Plache, who has never been licensed to practice in New Hampshire, be suspended from the practice of law for a period of one year, with additional requirements. The PCC also recommended that Attorney Plache 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 Plache and the Attorney Discipline Office's assistant disciplinary counsel, in which Attorney Plache agreed that he was subject to the jurisdiction of the Attorney Discipline Office (ADO) in New Hampshire because he had provided legal services from New Hampshire to a New Hampshire client in a proceeding before the United States Court of Claims Vaccine Court (Vaccine Court). See New Hampshire Rule of Professional Conduct 8.5(a) ("A lawyer admitted in another jurisdiction but not admitted in this jurisdiction is also subject to the disciplinary authority of this jurisdiction if the lawyer provides or offers to provide any legal services in this jurisdiction."). Attorney Plache was admitted to practice law in Maryland and before the Vaccine Court, but he has been suspended in both.

In the stipulation with the ADO, Attorney Plache agreed that he violated several Rules of Professional Conduct and further agreed that the appropriate sanction for these violations was a one-year suspension. Attorney Plache expressly waived his right to a hearing before the court. In accordance with Supreme Court 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 Plache violated the following Rules of Professional Conduct as a result of his failure, on multiple occasions, to file required documents in support of his client's Vaccine Court claim, to communicate with the Vaccine Court and his client concerning the status of her claim, and to respond to the ADO's requests for information:

1. Rule 1.1, which requires a lawyer to provide competent representation to a client;

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 3.4, which prohibits a lawyer from knowingly disobeying the rules of a tribunal;
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 is warranted. The court further approves the "suspension requirements," which are set forth in the stipulation (§§138-149) and in separate agreements cited therein.

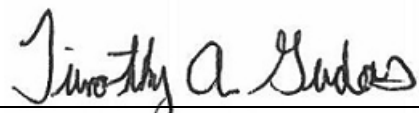
Accordingly, having approved the PCC's findings, rulings and recommended sanction, the court orders as follows:

- (1) Attorney Matthew J. Plache is suspended from the practice of law for a period of one year; and
- (2) Attorney Plache is ordered to comply with the "suspension requirements" set forth in the stipulation, see Supreme Court Rule 37(13), and 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, see Supreme Court Rule 37(19).

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

DATE: June 20, 2024

ATTEST:



Timothy A. Gudas, Clerk

Distribution:
Professional Conduct Committee, 22-009
Matthew J. Plache, Esq.
Elizabeth M. Murphy, Esq.
File