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**State Bar Court of California**  
**Hearing Department**  
**Los Angeles**

Counsel For The State Bar  <b>RIZAMARI C. SITTON</b> Deputy Trial Counsel 1149 South Hill Street Los Angeles, CA 90015-2299 (213) 765-1364  Bar # 138319	Case Number (s) <b>07-J-11005</b>	(for Court's use)  <div align="center"> <b>FILED</b>          AUG - 3 2007 <i>YHC</i>          STATE BAR COURT          CLERKS OFFICE          LOS ANGELES       </div>
In Pro Per Respondent  <b>GREGORY G. HAWN</b> 2405 20th Street, NW #106 Washington, D.C. 20009 (202)965-0024  Bar # 236623	<div align="center"> <b>PUBLIC MATTER</b> </div>	
In the Matter Of: <b>GREGORY G. HAWN</b>  Bar # 236623  A Member of the State Bar of California (Respondent)	Submitted to: <b>Assigned Judge</b>  STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION AND ORDER APPROVING  <b>ACTUAL SUSPENSION</b>  <input type="checkbox"/> PREVIOUS STIPULATION REJECTED	

**Note: All information required by this form and any additional information which cannot be provided in the space provided, must be set forth in an attachment to this stipulation under specific headings, e.g., "Facts," "Dismissals," "Conclusions of Law," "Supporting Authority," etc.**

**A. Parties' Acknowledgments:**

- (1) Respondent is a member of the State Bar of California, admitted **June 1, 2005**.
- (2) The parties agree to be bound by the factual stipulations contained herein even if conclusions of law or disposition are rejected or changed by the Supreme Court.
- (3) All investigations or proceedings listed by case number in the caption of this stipulation are entirely resolved by this stipulation and are deemed consolidated. Dismissed charge(s)/count(s) are listed under "Dismissals." The stipulation consists of **9** pages, not including the order.
- (4) A statement of acts or omissions acknowledged by Respondent as cause or causes for discipline is included under "Facts."
- (5) Conclusions of law, drawn from and specifically referring to the facts are also included under "Conclusions of Law".
- (6) The parties must include supporting authority for the recommended level of discipline under the heading "Supporting Authority."



- (7) No more than 30 days prior to the filing of this stipulation, Respondent has been advised in writing of any pending investigation/proceeding not resolved by this stipulation, except for criminal investigations.
- (8) Payment of Disciplinary Costs—Respondent acknowledges the provisions of Bus. & Prof. Code §§6086.10 & 6140.7. (Check one option only):
- ☒ until costs are paid in full, Respondent will remain actually suspended from the practice of law unless relief is obtained per rule 284, Rules of Procedure.
  - ☐ costs to be paid in equal amounts prior to February 1 for the following membership years:  
(hardship, special circumstances or other good cause per rule 284, Rules of Procedure)
  - ☐ costs waived in part as set forth in a separate attachment entitled "Partial Waiver of Costs"
  - ☐ costs entirely waived

**B. Aggravating Circumstances [for definition, see Standards for Attorney Sanctions for Professional Misconduct, standard 1.2(b)]. Facts supporting aggravating circumstances are required.**

- (1) ☐ **Prior record of discipline** [see standard 1.2(f)]
- (a) ☐ State Bar Court case # of prior case
  - (b) ☐ Date prior discipline effective
  - (c) ☐ Rules of Professional Conduct/ State Bar Act violations:
  - (d) ☐ Degree of prior discipline
  - (e) ☐ If Respondent has two or more incidents of prior discipline, use space provided below.
- (2) ☒ **Dishonesty:** Respondent's misconduct was surrounded by or followed by bad faith, dishonesty, concealment, overreaching or other violations of the State Bar Act or Rules of Professional Conduct. **Respondent falsified material facts on his resume, and altered his law school transcript, thereby raising his cumulative grade point average. Respondent sent both falsified documents to prospective employers, including law firms in California, when he was applying for attorney positions.**
- (3) ☐ **Trust Violation:** Trust funds or property were involved and Respondent refused or was unable to account to the client or person who was the object of the misconduct for improper conduct toward said funds or property.
- (4) ☒ **Harm:** Respondent's misconduct harmed significantly a client, the public or the administration of justice. **Respondent's misconduct harmed the legal community and the integrity of an official law school record.**
- (5) ☐ **Indifference:** Respondent demonstrated indifference toward rectification of or atonement for the consequences of his or her misconduct.
- (6) ☐ **Lack of Cooperation:** Respondent displayed a lack of candor and cooperation to victims of his/her misconduct or to the State Bar during disciplinary investigation or proceedings.
- (7) ☐ **Multiple/Pattern of Misconduct:** Respondent's current misconduct evidences multiple acts of wrongdoing or demonstrates a pattern of misconduct.

- (8) ☐ **No aggravating circumstances** are involved.

**Additional aggravating circumstances:**

**C. Mitigating Circumstances [see standard 1.2(e)]. Facts supporting mitigating circumstances are required.**

- (1) ☐ **No Prior Discipline:** Respondent has no prior record of discipline over many years of practice coupled with present misconduct which is not deemed serious.
- (2) ☐ **No Harm:** Respondent did not harm the client or person who was the object of the misconduct.
- (3) ☐ **Candor/Cooperation:** Respondent displayed spontaneous candor and cooperation with the victims of his/her misconduct and to the State Bar during disciplinary investigation and proceedings.
- (4) ☐ **Remorse:** Respondent promptly took objective steps spontaneously demonstrating remorse and recognition of the wrongdoing, which steps were designed to timely atone for any consequences of his/her misconduct.
- (5) ☐ **Restitution:** Respondent paid \$ \_\_\_\_\_ on \_\_\_\_\_ in restitution to \_\_\_\_\_ without the threat or force of disciplinary, civil or criminal proceedings.
- (6) ☐ **Delay:** These disciplinary proceedings were excessively delayed. The delay is not attributable to Respondent and the delay prejudiced him/her.
- (7) ☐ **Good Faith:** Respondent acted in good faith.
- (8) ☐ **Emotional/Physical Difficulties:** At the time of the stipulated act or acts of professional misconduct Respondent suffered extreme emotional difficulties or physical disabilities which expert testimony would establish was directly responsible for the misconduct. The difficulties or disabilities were not the product of any illegal conduct by the member, such as illegal drug or substance abuse, and Respondent no longer suffers from such difficulties or disabilities.
- (9) ☐ **Severe Financial Stress:** At the time of the misconduct, Respondent suffered from severe financial stress which resulted from circumstances not reasonably foreseeable or which were beyond his/her control and which were directly responsible for the misconduct.
- (10) ☐ **Family Problems:** At the time of the misconduct, Respondent suffered extreme difficulties in his/her personal life which were other than emotional or physical in nature.
- (11) ☐ **Good Character:** Respondent's good character is attested to by a wide range of references in the legal and general communities who are aware of the full extent of his/her misconduct.
- (12) ☐ **Rehabilitation:** Considerable time has passed since the acts of professional misconduct occurred followed by convincing proof of subsequent rehabilitation.
- (13) ☒ **No mitigating circumstances** are involved.

**Additional mitigating circumstances**

#### D. Discipline:

(1) ☒ **Stayed Suspension:**

(a) ☒ Respondent must be suspended from the practice of law for a period of **2 years**.

- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii) Standards for Attorney Sanctions for Professional Misconduct.
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

(b) ☒ The above-referenced suspension is stayed.

(2) ☒ **Probation:**

Respondent must be placed on probation for a period of **2 years**, which will commence upon the effective date of the Supreme Court order in this matter. (See rule 9.18, California Rules of Court)

(3) ☒ **Actual Suspension:**

(a) ☒ Respondent must be actually suspended from the practice of law in the State of California for a period of **ninety days**.

- i. ☐ and until Respondent shows proof satisfactory to the State Bar Court of rehabilitation and present fitness to practice and present learning and ability in the law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct
- ii. ☐ and until Respondent pays restitution as set forth in the Financial Conditions form attached to this stipulation.
- iii. ☐ and until Respondent does the following:

#### E. Additional Conditions of Probation:

- (1) ☒ If Respondent is actually suspended for two years or more, he/she must remain actually suspended until he/she proves to the State Bar Court his/her rehabilitation, fitness to practice, and learning and ability in general law, pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct.
- (2) ☒ During the probation period, Respondent must comply with the provisions of the State Bar Act and Rules of Professional Conduct.
- (3) ☒ Within ten (10) days of any change, Respondent must report to the Membership Records Office of the State Bar and to the Office of Probation of the State Bar of California ("Office of Probation"), all changes of information, including current office address and telephone number, or other address for State Bar purposes, as prescribed by section 6002.1 of the Business and Professions Code.
- (4) ☒ Within thirty (30) days from the effective date of discipline, Respondent must contact the Office of Probation and schedule a meeting with Respondent's assigned probation deputy to discuss these terms and conditions of probation. Upon the direction of the Office of Probation, Respondent must meet with the

probation deputy either in-person or by telephone. During the period of probation, Respondent must promptly meet with the probation deputy as directed and upon request.

- (5) ☒ Respondent must submit written quarterly reports to the Office of Probation on each January 10, April 10, July 10, and October 10 of the period of probation. Under penalty of perjury, Respondent must state whether Respondent has complied with the State Bar Act, the Rules of Professional Conduct, and all conditions of probation during the preceding calendar quarter. Respondent must also state whether there are any proceedings pending against him or her in the State Bar Court and if so, the case number and current status of that proceeding. If the first report would cover less than 30 days, that report must be submitted on the next quarter date, and cover the extended period.

In addition to all quarterly reports, a final report, containing the same information, is due no earlier than twenty (20) days before the last day of the period of probation and no later than the last day of probation.

- (6) ☐ Respondent must be assigned a probation monitor. Respondent must promptly review the terms and conditions of probation with the probation monitor to establish a manner and schedule of compliance. During the period of probation, Respondent must furnish to the monitor such reports as may be requested, in addition to the quarterly reports required to be submitted to the Office of Probation. Respondent must cooperate fully with the probation monitor.
- (7) ☒ Subject to assertion of applicable privileges, Respondent must answer fully, promptly and truthfully any inquiries of the Office of Probation and any probation monitor assigned under these conditions which are directed to Respondent personally or in writing relating to whether Respondent is complying or has complied with the probation conditions.
- (8) ☐ Within one (1) year of the effective date of the discipline herein, Respondent must provide to the Office of Probation satisfactory proof of attendance at a session of the Ethics School, and passage of the test given at the end of that session.
- ☒ No Ethics School recommended. Reason: **The parties stipulate that Respondent will attend a comparable remedial course as permitted under Rules of Procedure of the State Bar of California, Rule 290(b). See also "Other Conditions", on page 6 herein.**
- (9) ☐ Respondent must comply with all conditions of probation imposed in the underlying criminal matter and must so declare under penalty of perjury in conjunction with any quarterly report to be filed with the Office of Probation.
- (10) ☐ The following conditions are attached hereto and incorporated:
- |   |   |
|---|---|
| <input type="checkbox"/> Substance Abuse Conditions | <input type="checkbox"/> Law Office Management Conditions |
| <input type="checkbox"/> Medical Conditions         | <input type="checkbox"/> Financial Conditions             |

#### F. Other Conditions Negotiated by the Parties:

- (1) ☒ **Multistate Professional Responsibility Examination:** Respondent must provide proof of passage of the Multistate Professional Responsibility Examination ("MPRE"), administered by the National Conference of Bar Examiners, to the Office of Probation during the period of actual suspension or within one year, whichever period is longer. **Failure to pass the MPRE results in actual suspension without further hearing until passage. But see rule 9.10(b), California Rules of Court, and rule 321(a)(1) & (c), Rules of Procedure.**
- ☐ No MPRE recommended. Reason:

- (2) ☒ **Rule 9.20, California Rules of Court:** Respondent must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (3) ☐ **Conditional Rule 9.20, California Rules of Court:** If Respondent remains actually suspended for 90 days or more, he/she must comply with the requirements of rule 9.20, California Rules of Court, and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of the Supreme Court's Order in this matter.
- (4) ☐ **Credit for Interim Suspension [conviction referral cases only]:** Respondent will be credited for the period of his/her interim suspension toward the stipulated period of actual suspension. Date of commencement of interim suspension:
- (5) ☒ **Other Conditions:**

**Within one (1) year of the effective date of the discipline herein, Respondent must:**

**a.) Provide the office of Probation satisfactory proof of in-person attendance at a complete session of the "Mandatory Course on the D.C. Rules of Professional Conduct and D.C. Practice" administered by the Washington D.C. Bar. The "Mandatory Course" curriculum includes:**

- The District of Columbia Bar Voluntary Standards for Civility in Professional Conduct;
- Rules of Professional Conduct.

**While the course was originally established for new admittees to the D.C. Bar, the course has been extended to certain disciplined members of the D.C. Bar.**

**Respondent herein previously attended the Mandatory Course in 2003 as a requirement for new admittees. Respondent has not taken the course since, and he has not taken any other comparable course within the last two (2) years.**

**The parties stipulate that the D.C. Mandatory course is a comparable remedial education course offered through a certified provider in Washington, D.C., for purposes of R.P. Rule 290(b).**

**b.) Comply with all terms and conditions of discipline imposed in Washington, D.C., Pennsylvania, and any other jurisdiction that may take disciplinary action against Respondent for the same misconduct described in the attached "Statement of Acts and Omissions".**

Attachment language begins here (if any):

**ATTACHMENT TO  
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:      GREGORY G. HAWN

CASE NUMBER:            07-J-11005

**FACTS**

Respondent falsified his resume and altered his law school transcript in an attempt to obtain legal employment in California. He reported his actions to the Bar Counsel of the District of Columbia, but only after the misdeeds had been questioned by a prospective employer and his law school.

Respondent was disciplined in the District of Columbia for violating Rule 8.4(c) of the District of Columbia Rules of Professional Conduct. Respondent was suspended from the practice of law in the District of Columbia for a period of thirty days, by order of the District of Columbia Court of Appeals, filed March 1, 2007. The order became final, and was effective on March 31, 2007.

A certified copy of the District of Columbia Court of Appeals Opinion and Order is attached herewith as Exhibit 1, and incorporated by reference. A copy of the Report and Recommendation of the Board on Professional Responsibility, in the District of Columbia, is attached as Exhibit 2, and incorporated by reference. The District of Columbia Rules of Professional Conduct, rule 8.4(c), is attached as Exhibit 3, and incorporated by reference.

**CONCLUSIONS OF LAW**

Respondent's culpability determined in the District of Columbia warrants the imposition of discipline in the State of California under the laws or rules binding upon the members of the State Bar at the time Respondent committed misconduct in the District of Columbia.

The proceedings in the District of Columbia did not lack fundamental constitutional protection.

Respondent by his misconduct in District of Columbia violated the California Business and Professions Code. The analogous California rule or statutory provisions for Respondent's culpable conduct are as follows:

District of Columbia Rules of Professional Conduct	California Business and Professions Code or Rules of Professional Conduct
8.4(c)	B & P Code 6106

**ATTACHMENT TO  
STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION**

IN THE MATTER OF:        GREGORY G. HAWN

CASE NUMBER:            07-J-11005

**SUPPORTING AUTHORITY**

Culpability of a member of an act of moral turpitude, fraud, or intentional dishonesty toward a court, client or another person or of concealment of a material fact to a court, client or another person shall result in actual suspension or disbarment depending upon the extent to which the victim of the misconduct is harmed or misled and depending upon the magnitude of the act of misconduct and the degree to which it relates to the member's acts within the practice of law. *Rules of Procedure of the State Bar of California, Standards for Attorney Sanctions for Professional Misconduct, Standard 2.3.*

Sixty days actual suspension was imposed where the respondent falsified his resume, received an invitation to at least one job interview based on the falsified resume, did not attempt to correct the misrepresentations during the interview, and gave untruthful responses to interrogatories propounded by the State Bar. *In the Matter of Frank Sterling Mitchell* (Review Dept. 1991) 1 Cal. State Bar Ct. Rptr. 332.

**PENDING PROCEEDINGS**

The disclosure date referred to, on page one, paragraph A.(7), was June 22, 2007.

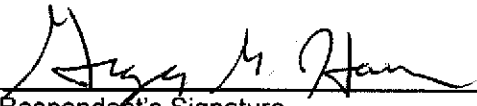
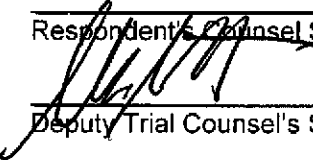


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In the Matter of <b>GREGORY G. HAWN</b>	Case number(s): <b>07-J-11005</b>
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### SIGNATURE OF THE PARTIES

By their signatures below, the parties and their counsel, as applicable, signify their agreement with each of the recitations and each of the terms and conditions of this Stipulation Re Fact, Conclusions of Law and Disposition.

<u>6/27/07</u> Date	 Respondent's Signature	<u>GREGORY G. HAWN</u> Print Name
<u>7/4/07</u> Date	 Deputy Trial Counsel's Signature	<u>RIZAMARI C. SITTON</u> Print Name

(Do not write above this line.)

In the Matter Of <b>GREGORY G. HAWN</b>	Case Number(s): <b>07-J-11005</b>
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**ORDER**

Finding the stipulation to be fair to the parties and that it adequately protects the public, IT IS ORDERED that the requested dismissal of counts/charges, if any, is GRANTED without prejudice, and:

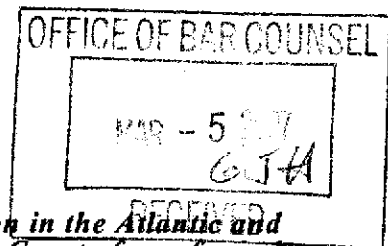
- ☒ The stipulated facts and disposition are APPROVED and the DISCIPLINE RECOMMENDED to the Supreme Court.
- ☐ The stipulated facts and disposition are APPROVED AS MODIFIED as set forth below, and the DISCIPLINE IS RECOMMENDED to the Supreme Court.
- ☐ All Hearing dates are vacated.

The parties are bound by the stipulation as approved unless: 1) a motion to withdraw or modify the stipulation, filed within 15 days after service of this order, is granted; or 2) this court modifies or further modifies the approved stipulation. (See rule 135(b), Rules of Procedure.) **The effective date of this disposition is the effective date of the Supreme Court order herein, normally 30 days after file date. (See rule 9.18(a), California Rules of Court.)**

8/2/07  
Date

  
Judge of the State Bar Court





**Notice: This opinion is subject to formal revision before publication in the Atlantic and Maryland Reporters. Users are requested to notify the Clerk of the Court of any formal errors so that corrections may be made before the bound volumes go to press.**

**DISTRICT OF COLUMBIA COURT OF APPEALS**

No. 06-BG-1418

IN RE GREGORY HAWN, RESPONDENT.

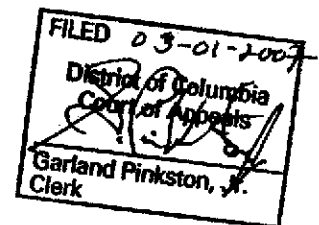
A Member of the Bar  
of the District of Columbia Court of Appeals

(Bar Registration No. 489371)

On Report and Recommendation  
of the Board on Professional Responsibility

(BDN 258-05)

(Decided: March 1, 2007)



Before KRAMER and THOMPSON, *Associate Judges*, and PRYOR, *Senior Judge*.

PER CURIAM: The respondent, Gregory Hawn, falsified his resume and altered his law school transcripts in an attempt to obtain legal employment in California. While he did report his actions to Bar Counsel, it was not until after his misdeeds had been questioned by a prospective employer and his law school. In any event, the Board on Professional Responsibility ("the Board"), on review of a Hearing Committee's report, concluded that respondent violated Rule 8.4 (c) of the District of Columbia Rules of Professional Conduct, and as discipline for this violation the Board recommends that respondent be suspended for 30 days.

Bar Counsel informs us that he takes no exception to the Board's report and recommendation, and respondent has not filed any opposition to the Board's report and recommendation. This lack of opposition severely limits our scope of review and we hereby accept the Board's recommendation. See D.C. Bar R. XI, § 9 (g)(1). Accordingly, it is

*Garland Pinkston, Jr.*  
*Clerk of the District of Columbia Court*  
*of Appeals*  
  
Garland Pinkston, Jr.  
Clerk

ORDERED that Gregory Hawn be suspended from the practice of law in the District of Columbia for a period of thirty-days. For the purposes of reinstatement, the suspension shall be deemed to run from the date that respondent files an affidavit in compliance with D.C. Bar R. XI, § 14 (g).

*So ordered.*



DISTRICT OF COLUMBIA COURT OF APPEALS  
BOARD ON PROFESSIONAL RESPONSIBILITY

In the Matter of:

GREGORY HAWN,

Respondent.

A Member of the Bar of the  
District of Columbia Court of Appeals  
(Bar Registration No.489371)

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Bar Docket No. 258-05

REPORT AND RECOMMENDATION OF THE  
BOARD ON PROFESSIONAL RESPONSIBILITY

This matter comes before the Board on review of the Report of an Ad Hoc Hearing Committee (the "Committee"), which found that Respondent violated Rule 8.4(c) of the District of Columbia Rules of Professional Conduct by engaging in "conduct that involves dishonesty, fraud, deceit, or misrepresentation." Based on its findings, the Committee recommended that Respondent be publicly censured. Bar Counsel filed an exception to the sanction recommendation.

Neither Bar Counsel nor Respondent has taken exception to the Committee's conclusion that a Rule 8.4(c) violation is established in this matter. The primary issue before us thus relates to the sanction. Bar Counsel urges that the circumstances of this matter warrant a suspension and suggests we recommend that "Respondent be suspended for at least 30 days." Brief of Bar Counsel on Exception to the Hearing Committee's Report and Recommendation at 15. Respondent maintains that the Board adopt the Committee's recommendation of a public censure or, in the alternative, that execution of any suspension be stayed because he "was forced to resign

his employment as an associate attorney on March 30, 2006 and did not engage in the practice of law for a period of at least 60 days."

We have concluded that a suspension of 30 days, without a stay, is warranted in this matter.

### FINDINGS OF FACT

We adopt the findings of the Committee, which are largely based upon a Joint Stipulation of Facts, dated April 26, 2006 (JX1), but we also find additional facts relating principally to Respondent's state of mind (*see infra*, ¶¶19-20), which are established by the clear and convincing evidence in the exhibits introduced by Bar Counsel and admitted without objection. Tr. at 20<sup>1</sup>.

### Background

1. Respondent is a member of the Bar of the District of Columbia Court of Appeals, having been admitted by motion on October 4, 2004, and subsequently assigned Bar number 489371. JX 1 ¶1. Respondent also is a member of the Pennsylvania, New Jersey and California Bars.

2. In May 2003, Respondent received a juris doctor degree from American University - Washington College of Law. JX 1 ¶2. In September 2003, he began work as a first-year attorney with the Washington, D.C. office of Bracewell & Giuliani, LLP. BX 2 at 2.<sup>2</sup>

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<sup>1</sup> The transcript of the April 26, 2006 hearing is referred to as "Tr."

<sup>2</sup> Bar Counsel's exhibits are referred to as "BX." BX 2 is a lengthy letter Respondent sent Bar Counsel on August 4, 2005, reporting his misconduct in this case. Both it and BX 10 mistakenly bear dates in August 2004; they were written and should be dated in August 2005. Tr. at 22-23.



3. In April 2005, Respondent decided to seek employment in Los Angeles, California. BX 2 at 2. At that time, Respondent engaged the services of a Los Angeles legal recruitment coordinator. JA 1, ¶5; BX 2 at 3. Also at that time, Respondent requested his law school transcript from the registrar's office of American University - Washington College of Law. BX 2 at 3. He ordered both an electronic version, which was in "Adobe Acrobat pdf" format, and hard copies of his law school transcript. JA1, ¶4.

False Representations in Respondent's Resume

4. Respondent, on a resume he supplied to his legal recruitment coordinator, knowingly misrepresented that, while in law school —

a. he had received the "Myers Society Scholarship for Academic Achievement," when, in fact, he had not;

b. he had received the "American Jurisprudence Legal Rhetoric and Writing Award," when, in fact, he had not;

c. he had been an "E. Robert Hinneman Finalist for Moot Court Appellate Advocacy," when, in fact, he had not. JX 1 ¶¶3 a.-c; BX 2 at 3; BX 3.

5. In describing his "Professional Activities" on the resume, Respondent further knowingly misrepresented that —

a. he was the "Co-Chairman" of the American Bar Association's "Working Group Corporate Aspects of Information Technology," when, in fact, he merely assisted in coordinating activities for the group;

b. he was "Program Director" of the D.C. Bar's Standing Committee on Pro Bono and Public Service, when, in fact, he was only affiliated as a member of the program through "Probono.net," an online resource for attorneys interested in *pro bono* service;

c. he was Advisory Board Member and Docent of the Smithsonian/Behring National Museum of American History, when, in fact, he had no affiliation with the Museum at the time. JX 1 ¶¶ 3 d.-e, ¶8; BX 2 at 7; BX 3.<sup>3</sup>

6. In or around May 2005, the legal recruitment coordinator mailed copies of Respondent's falsified resume and his law school transcript to several law firms, including Mayer Brown Rowe & Maw ("Mayer Brown"). JX 1 ¶6. Respondent himself, in May 2005, began mailing hard copy applications containing his falsified resume and transcript information to numerous mid- and large-sized law firms in the Los Angeles area. BX 2 at 3.<sup>4</sup>

7. Respondent falsified the resumes he sent to prospective employers and that were sent to prospective employers by his legal recruitment coordinator because he felt he had no choice but to overly impress each prospective employer in order to obtain employment. BX 2 at 3.

#### Respondent's Falsification of His Law School Transcript

8. In May and June 2005, Respondent began to receive rejection letters from almost all the firms to which he had sent his resume and law school transcript. BX 2 at 3. He received no positive responses. *Id.* In addition, his Los Angeles legal recruitment coordinator informed him that he was unable to elicit interest from any potential employer to whom he had sent Respondent's information. BX 2 at 4. Respondent began to wonder if it was his background and experience that was leading employers to reject his applications or the fact that his law school

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<sup>3</sup> The Joint Stipulation states (JX 1, ¶ 8) that the misrepresentation regarding the Smithsonian Museum appeared on a later version of Respondent's resume, which is included as part of BX 8. In fact, as Respondent explained in his August 4, 2005, letter to Bar Counsel, the claim about the Museum was made in the first version of the resume, which was supplied to the legal recruitment coordinator. BX 2 at 7; BX 3. The later resume included in BX 8 made no reference to the Museum.

<sup>4</sup> The record identifies in all some thirteen firms in the Los Angeles area to which Respondent or his legal recruitment coordinator sent copies of his resume and law school transcript. BX 2 at 3.

grade point average ("GPA") was lower than what he was told was the stereotypical standard for Los Angeles area law firm hires. *Id.*

9. In June 2005, Respondent read an article discussing the ability some computer programs have to alter various electronic document files. BX 2 at 4. After reading that article, Respondent downloaded to his home computer a program that would enable him to alter Adobe Acrobat pdf files. *Id.* Using this program, Respondent altered the electronic version of his law school transcript transmitted to him from Washington College of Law by changing 12 of his grades, thereby raising the cumulative grade point average appearing on the transcript from 3.12 to 3.59. JX 1 ¶7; BX 2 at 4. In late June or early July 2005, Respondent sent his resume and the altered transcript to five large firms in Los Angeles with applications for lateral positions. BX 2 at 4 & n.2. None of those five firms had been sent a genuine copy of Respondent's law school transcript, which recorded his actual GPA of 3.12.

#### Respondent's Second Employment Inquiry to Mayer Brown

10. On June 29, 2005, Respondent read on the internet that Mayer Brown's Los Angeles office was then actively seeking a lateral real estate associate with Respondent's experience. He immediately emailed the firm asking if that was correct. He was told that it was and that he should send his information with an application for the position. BX 2 at 5. Respondent sent Mayer Brown's Los Angeles office another copy of his resume and a .pdf version of his law school transcript, as saved on a memory disk from his home computer. *Id.*<sup>5</sup>

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<sup>5</sup> The resume that Respondent sent to Mayer Brown at the end of June contained a misrepresentation that had not appeared on the resumes he previously had sent out. The June resume falsely represented that he was "Articles Editor" of the American University Law Review, when, in fact, he held the less important position of "Senior Editor." BX 2 at 5; BX 8. The resume repeated the false representations about Respondent's Education and Professional Activities described in paragraphs 4 & 5, above, except that it omitted his claimed affiliation with the Smithsonian Museum of American History. BX 8; see p. 4, n. 2, *supra*.

11. Within days after he sent his law school transcript to Mayer Brown, the firm's recruitment coordinator called to advise him that Mayer Brown was interested in interviewing him for the lateral real estate associate position, but that, based on materials Mayer Brown had, it appeared that they had transcripts with two different GPAs, including one transcript with a GPA of 3.59. BX 2 at 5.

#### The Unraveling of Respondent's Scheme

12. On or about July 6, 2005, Mayer Brown's General Counsel sent an email to American University - Washington College of Law concerning the discrepancies in the law school transcripts accompanying the employment inquiry submitted on behalf of Respondent by the legal recruitment coordinator and the one submitted directly by Respondent to Mayer Brown. JX 1 ¶9; BX 9 at 2. Two days later, on Friday, July 8, 2005, the law school's Associate Dean for Academic Affairs forwarded Mayer Brown's email correspondence to Respondent, with a request that he explain the discrepancies between the law school transcripts that accompanied his two employment inquiries. JX 1 ¶10; BX 9 at 2 (email transmitted Friday, July 8, 2005 at 3:47 PM).

13. Approximately three hours later, Respondent replied to the Associate Dean's correspondence, in a lengthy email denying that he had altered the transcript and falsely suggesting that the discrepancies appearing on the transcripts may have been caused by a malfunction in the electronic transmission of the transcript from the law school's registrar to Respondent. JX 1 ¶11; BX 9 (email transmitted on Friday, July 8, 2005 at 6:46 PM).

14. In an effort to demonstrate that he had not attempted "to pass off the incorrect transcript as [his] own," Respondent identified in his long email six firms, his personal contact in each firm and the contact's telephone number and gave the Associate Dean "permission to call

any or all of the people [he] submitted [his] information to and to have them send . . . copies of the materials.” BX 9. The six firms identified, however, included none of the firms to which Respondent had sent altered transcripts. *Compare* BX 2 at 3 with BX 9.

15. On July 18, 2005, Respondent went to Washington College of Law for a meeting with the Associate Dean who had sent the July 8 email. The July 18 meeting had been scheduled in a telephone conversation Respondent had with the Associate Dean on Monday, July 11, 2005. BX 2 at 6. The Associate Dean was joined in the meeting by two of the other law school deans. *Id.* After about 10 minutes of questioning by the law school deans, Respondent became overwhelmed with emotion. *Id.* He asked if he needed an attorney, and after the comment of one of the deans that, “if he were in this situation . . . [an attorney] is something he would want,” Respondent left the room without further conversation. *Id.*

16. Respondent retained an attorney on July 21, 2005, and on the same day called the Office of Bar Counsel to “self-report” his conduct. *Id.* In a letter faxed to Bar Counsel he confirmed his phone conversation and wrote that he was “writing to self-report [himself] to the D.C. Office of Bar Counsel based on [his] conduct in connection with the sending of a law school transcript for potential employment.” BX 1.

17. On August 1, 2005, Respondent sent emails to almost all the firms he had contacted withdrawing his applications for employment and to his legal recruitment coordinator in Los Angeles asking him to “make sure that there are no outstanding applications . . . that were sent through [him].” BX 2 at Ex 6.

18. On August 8, 2005 Bar Counsel received an eight-page letter, with six exhibits, from Respondent. BX 2. The text of that letter began with a confirmation that he had “self-reported [himself] for [his] actions in June 2005 in altering and sending an electronic version of

[his] law school transcript in preliminary application for potential employment with five law firms located in Los Angeles, California." BX 2. He added that he had "also embellished [his] resume." *Id.*

#### Respondent's State of Mind

19. Respondent's falsification of his resume and law school transcript and submission of those falsified documents to five large Los Angeles law firms in late June and early July 2005 was pursuant to a deliberate effort of Respondent to gain favorable consideration of his employment applications to those firms based on the false information in those documents. When his initial effort to secure employment in Los Angeles using a one-page resume that he had "embellished" with false representations was not successful, Respondent altered an electronic version of his law school transcript so that the GPA shown on the altered transcript was 3.59, instead of the 3.12 GPA that Respondent actually had achieved. He sent that altered resume to five law firms that had not previously been contacted by him or his retained legal recruitment coordinator.

20. When Mayer Brown called Respondent's attention to the difference between the altered transcript and the transcript that his legal recruitment coordinator had previously sent them, Respondent feigned ignorance and tried to pass off the discrepancy between the two transcripts as an error of his law school's registrar, when he knew there had been no such error. That endeavor ultimately proved futile, but Respondent persisted in it for three weeks before he was forced to face up to what he had done during a meeting with three deans of his law school.

## ANALYSIS

### A. The Charged Misconduct

Respondent was charged with violating Rule 8.4(c) of the D.C. Rules of Professional Conduct, a rule provision that makes it "professional misconduct for a lawyer to . . . engage in conduct involving dishonesty, fraud, deceit, or misrepresentation." That Respondent violated that prohibition is beyond question. Respondent's own admissions demonstrate that he deliberately, on two occasions, prepared a resume with false statements about his law school honors, his bar association activities and his non-legal employment, and sent those resumes to his legal recruitment coordinator for submission to prospective employers to "overly impress" and thereby obtain employment with them. He thereafter intentionally altered a computerized version of the official transcript of his law school grades, which he himself sent to other prospective employers. When one prospective law firm employer asked him to explain why two law school transcripts the firm had received showed different grades, Respondent lied and continued to profess his innocence for three weeks, until he could no longer maintain his fabricated version of events. That course of conduct plainly involves "dishonesty, fraud, deceit, [and] misrepresentation." We thus agree with the Committee's conclusion in this matter that Respondent's conduct violated Rule 8.4(c).

### B. Recommended Sanction

The Court's en banc opinion in *In re Reback*, 513 A.2d 226 (D.C. 1986) (en banc) has been turned to many times in the past 20 years as the authoritative statement of the purposes served by disciplinary sanctions. In the words of the Court:

The discipline we impose should serve not only to maintain the integrity of the profession and to protect the public and the courts, but also to deter other attorneys from engaging in similar

misconduct. In some instances the protection of the public, the courts, and the bar will require a sanction as severe as removal from practice. In other cases, discipline as light as a reprimand will suffice. In all cases, our purpose in imposing discipline is to serve the public and professional interest we have identified.

*Id.* at 231 (citations omitted). See also *In re Nwadike*, 905 A.2d 221, 229 (D.C. 2006); *In re Austin*, 858 A.2d 969, 975 (D.C. 2004); *In re Uchendu*, 812 A.2d 933, 941 (D.C. 2002).

Choosing a sanction that best serves those purposes requires that the respondent's violation be assessed "in light of all relevant factors." *Reback*, 513 A.2d at 231. In a subsequent en banc opinion, the Court in *In re Hutchinson*, 534 A.2d 919 (D.C. 1987) (en banc) the Court identified some of those factors as "'the nature of the violation, the mitigating and aggravating circumstances, [and] the need to protect the public, the courts, and the legal profession,' as well as 'the moral fitness of the attorney,' to the extent we can discern it." *Id.* at 924 (citations omitted). The Court concluded its discussion of the general rules governing sanction determinations with two overriding principles. First, "[w]ithin the limits of the mandate to achieve consistency, each case must be decided on its particular facts." *Id.* (quoting *In re Haupt*, 422 A.2d 768, 771 (D.C. 1980)). Second, "[i]n all cases, our purpose in imposing discipline is to serve the public and professional interests we have identified, rather than to visit punishment upon an attorney." *Id.* (quoting *Reback*, 513 A.2d at 231).

Although the Court has consistently disavowed punishment of attorneys as a legitimate purpose for professional discipline, it has repeatedly and explicitly affirmed that "[t]he discipline . . . should serve not only to maintain the integrity of the profession and to protect the public and the courts, but also to deter other attorneys from engaging in similar misconduct." *Reback*, 513 A.2d at 231 (quoting *In re Wild*, 361 A.2d 182, 183 (D.C. 1976)). See also *Nwadike*,



905 A.2d 221, 229 (D.C. 2006); *In re Hager*, 812 A.2d 904, 916 (D.C. 2002); *In re Pierson*, 690 A.2d 941, 948 (D.C. 1997); *In re Goffe*, 641 A.2d 458, 466 (D.C. 1994) (per curiam).

The misconduct in this matter is quite serious. Although Respondent's deceptions addressed to prospective employers and uttered to the deans of his former law school did not occur in the course of Respondent's representing a client or practicing before a tribunal, they cannot be regarded as purely private transgressions. Compare *In re Scanio*, Bar Docket No. 354-01 (BPR July 29, 2005) (pending appeal). Respondent's purpose was to gain employment as a lawyer by means of his false resumes and transcripts. His deceptions thus can be looked upon in much the same way as we have considered false statements of material fact knowingly made by an applicant for admission to the Bar. See Rule 8.1(a). In two recent cases involving that misconduct, the respondents were suspended with fitness conditions imposed for their reinstatement. *In re Powell*, 898 A.2d 365, 366 (D.C. 2006) (per curiam) (one-year suspension with fitness condition); *In re Starnes*, 829 A.2d 488, 490 (D.C. 2003) (per curiam) (six-month suspension with fitness condition). What is more, Respondent's misconduct, considered in its totality, is more blameworthy than submitting a resume with false statements to a prospective employer. Respondent went beyond submitting a false resume. He sent prospective employers a document that purported to be an official academic transcript issued by his law school, when in fact it had been altered by him to raise the level of his law school grades. Respondent thus not only conveyed false information, as a false statement on his resume would do, he also altered what appeared to be an official record in order to deceive the recipient into believing that his false information was supported by a genuine law school record.

The facts thus are materially different than the circumstances in *In re Hadzi-Antich*, 497 A.2d 1062 (D.C. 1985), a decision that Respondent contends is controlling in this matter.

The Board, with one dissenting member, had found respondent in *Hadzi-Antich* to have violated the predecessor rule to the present Rule 8.4(c) by submitting a false resume for a teaching position in a Texas law school. The respondent denied that he was personally responsible for “embellish[ing]” his resume, which included raising his law school class rank to first, from twenty-fifth, and stating that he was editor-in-chief of the school’s law review, when in fact he was only a member of the editorial board. He claimed that his wife had amended the draft he had prepared while she was at the printer and that he was only “negligent in reviewing his resume” after it had been printed. Respondent was employed by the law school and taught as an assistant professor from August 1981 to May 1983.

The Board report in *Hadzi-Antich* (which is appended to the Court’s opinion) rejected Respondent’s testimony that he had “‘stumbled’ onto the errors” in November 1980 and submitted a corrected resume to the law school before he was offered a teaching position. The report, however, does not unambiguously find that the respondent’s misrepresentations were intentional. Respondent’s misconduct is twice referred to as his “negligence.” *Id.* at 1065. Its finding of intent appears only in a sentence that reads “[b]y not making sure that [the law school] was aware of the inaccuracies in his first resume, it must be determined that Respondent intended to falsify his credentials” and its off-hand reference to his conduct as “a fraud.” *Id.* The Board recommended a “public censure as the appropriate sanction.” *Id.*<sup>6</sup> The respondent filed an exception to that recommendation and urged that an informal admonition would be the appropriate sanction. The Court, however, accepted that recommendation as “consistent with other dispositions involving comparable conduct.” *Id.* at 1063 (citations omitted).

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<sup>6</sup> The dissenting Board member appears to have assumed that the respondent’s admission of “negligence” should guide the choice of sanction and concludes that “[a]n informal admonition” would be “a more appropriate sanction.” *Hadzi-Antich*, 497 A.2d at 1066.

We do not regard the public censure ordered in *Hadzi-Antich* as setting the level of discipline that should be recommended in this matter. As we have pointed out, Respondent's misconduct is materially different — and substantially more grievous — than the misconduct in *Hadzi-Antich*. Moreover, comparable cases decided more recently than the 1985 *Hadzi-Antich* case have resulted in more severe sanctions. The Court in *Hadzi-Antich* cited two earlier decisions in which the respondent was censured for comparable misconduct. *In re Molovinsky*, No. M-31-79 (D.C. Aug. 23, 1979) (respondent censured for failing to appear in court and lying about reason for not timely appearing) and *In re Christmas*, No. M-21-76 (D.C. June 2, 1976) (respondent censured for knowingly misleading clients about handling of appeals). More recent cases involving the kind of misconduct in those cases have called for suspensory sanctions. *See, e.g., In re Ontell*, 593 A.2d 1038 (D.C. 1991); *In re Chisholm*, 679 A.2d 495 (D.C. 1996); *In re Outlaw*, Bar Docket No. 101-01 (BPR Dec. 23, 2005). These decisions, and the decisions referred to above in cases involving intentional misrepresentations on Bar applications, persuade us that a public censure would not be consistent with currently prevailing sanctioning standards.

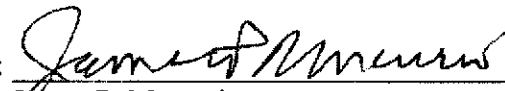
As for the length of the suspension in this matter, we note that Respondent has been a member of the Bar a little over two years, and that he graduated from law school less than three and a half years ago. He has no prior disciplinary record. Although his decision to report his own misconduct to Bar Counsel was all but forced upon him by the actions of one of the law firms to which he sent a false transcript and his law school faculty members, once he did report his misconduct he has cooperated fully with Bar Counsel in bringing this matter to a conclusion. Moreover, he has shown sincere remorse (HC Rpt. at 8 n.7) and already has suffered serious setbacks in his legal career because of his misconduct.

Considering all these factors, and taking Bar Counsel's recommendation into account, we conclude that the appropriate sanction in this matter is a suspension for 30 days. We reject Respondent's request that we recommend a stay of any suspension ordered in this matter. We have concluded that, despite the setbacks he has suffered as a direct result of his misconduct, the gravity of that misconduct warrants an actual period of suspension as deterrence of similar misconduct by others.

#### CONCLUSION

We recommend that the Court suspend Respondent Gregory G. Hawn from the practice of law in the District of Columbia for a period of 30 days effective 30 days after the Court's order, but to run for purposes of reinstatement from the time Respondent files the affidavit required under D.C. Bar R. XI, § 14(g).

#### BOARD ON PROFESSIONAL RESPONSIBILITY

By:   
James P. Mercurio

All members of the Board concur in this Report and Recommendation except Ms. Jeffrey, who is recused, and Ms. Kapp, who did not participate.

Dated: DEC - 5 2006



### **Rule 8.4 – Misconduct**

It is professional misconduct for a lawyer to:

- (a) Violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;
- (b) Commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;
- (c) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- (d) Engage in conduct that seriously interferes with the administration of justice;
- (e) State or imply an ability to influence improperly a government agency or official;
- (f) Knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or
- (g) Seek or threaten to seek criminal charges or disciplinary charges solely to obtain an advantage in a civil matter.

#### **COMMENT**

[1] Many kinds of illegal conduct reflect adversely on fitness to practice law, such as offenses involving fraud and the offense of willful failure to file an income tax return. However, some kinds of offenses carry no such implication. Traditionally, the distinction was drawn in terms of offenses involving "moral turpitude." That concept can be construed to include offenses concerning some matters of personal morality, such as adultery and comparable offenses, that have no specific connection to fitness for the practice of law. Although a lawyer is personally answerable to the entire criminal law, a lawyer should be professionally answerable only for offenses that indicate lack of those characteristics relevant to law practice. Offenses involving violence, dishonesty, breach of trust, or serious interference with the administration of justice are in that category. A pattern of repeated offenses, even ones of minor significance when considered separately, can indicate indifference to legal obligation.

**CERTIFICATE OF SERVICE**  
**[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]**

I am a Case Administrator of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on August 3, 2007, I deposited a true copy of the following document(s):

**STIPULATION RE FACTS, CONCLUSIONS OF LAW AND DISPOSITION  
AND ORDER APPROVING ACTUAL SUSPENSION**

in a sealed envelope for collection and mailing on that date as follows:

- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**GREGORY G. HAWN  
2405 20TH ST NW #106  
WASHINGTON, DC 20009**

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

**RIZAMARI C. SITTON, Enforcement, Los Angeles**

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on **August 3, 2007.**



Case Administrator  
State Bar Court