

**THE LAW SOCIETY OF MANITOBA**

**IN THE MATTER OF:**

**JONATHAN ANDREW RICHERT  
(the “member”)**

**- and -**

**IN THE MATTER OF:**

**THE LEGAL PROFESSION ACT**

**Hearing Date:** January 8, 2019

**Panel:** Dean Scaletta (Chair)  
Karen Webb  
Lynne McCarthy (Public Representative)

**Counsel:** Rocky Kravetsky for the Law Society of Manitoba  
Member Self-Represented

**REASONS FOR DECISION**

**Introduction**

1. Jonathan Andrew Richert is a member of The Law Society of Manitoba (“the Society”), having been called to the Bar and admitted as a solicitor on December 13, 2005.
2. He was charged in citations dated October 30, 2018 (File No. 18-009-DIS) and December 4, 2018 (File No. 18-012-DIS) with three separate counts of professional misconduct for failure to respond promptly, or within the time prescribed, to an inquiry contained in correspondence and communications with the Society, contrary to sub-Rules 5-64(3) and 5-64(4) of the *Rules of the Law Society of Manitoba* (“the Rules”) and Rule 7.1-1 of the *Code of Professional Conduct* (“the Code”). The third count also referenced sub-Rule 5-64(5) of the Rules.

3. Mr. Richert entered a guilty plea before the Panel to each of the three counts set out in the two citations. With one exception, he further admitted the facts as deposed in the Affidavit of Christopher Donaldson sworn December 5, 2018 and the Affidavit of Jennifer Houser sworn January 3, 2019. [Note: He took issue with Para. 34 of the Houser affidavit, and the Society agreed the trial binder mentioned in that paragraph had, in fact, been provided.]

#### **Evidence Tendered by the Society**

4. The essence of all three counts is that Mr. Richert failed to appropriately respond to so-called “14-day letters” in connection with three separate complaints which had been received by the Society. For the purposes of this decision, these will be referred to individually as “the M Complaint”, “the Dickson Complaint”, and “the K Complaint”, and collectively as “the Complaints”.

#### **The M Complaint**

5. Ms. M is the named attorney under a power of attorney executed by her father, R N, a former client of Mr. Richert. In January, 2018, another Brandon lawyer (Mr. Trent Sholdice) requested that Mr. Richert transfer his legal file pertaining to Mr. N to him. Mr. Sholdice included an authorization signed by Ms. M as attorney for her father.
6. In early May, 2018, Mr. Sholdice contacted the Society for assistance, as he had still not received the file from Mr. Richert. There had been a number of communications between the two lawyers during the previous four months, including promises by Mr. Richert to send the file, but Mr. Sholdice and his client were still waiting.
7. Over the next few weeks, Mr. Donaldson made a number of efforts to resolve the matter informally. During that time, he received at least two assurances from Mr. Richert that the file transfer would be attended to in short order. It was not, and the M Complaint was received by the Society on June 25, 2018.
8. On July 11, 2018, Mr. Donaldson sent fax and email copies of the M Complaint to Mr. Richert, together with a cover letter requiring his response to the complaint within 14 days. No response was received, and on July 26, 2018 Mr. Donaldson sent a follow-up letter to Mr. Richert requiring his response by August 10, 2018.
9. Mr. Richert sought, and was granted, two extensions to respond – the first to August 15, 2018; the second to August 20, 2018. A response was eventually

received from Mr. Richert on August 22, 2018, but Mr. Donaldson had one follow-up question to which he needed an answer. [Note: It appears the M /N file was delivered to Mr. Sholdice around this same date.]

10. It was at this point that matters began to go “off the rails”.
11. On August 22, 2018, Mr. Donaldson wrote to Mr. Richert with his one question, again requiring a response within 14 days (that is, by September 5, 2018). A September 6, 2018 email from Mr. Richert included a “short answer” to the question, together with a request for an extension to September 17, 2018 to enable him to provide Mr. Donaldson with “a more complete response”.
12. Between September 6, 2018 (when he sent an email granting the requested extension to September 17, 2018) and December 5, 2018 (when his affidavit was sworn), Mr. Donaldson:
  - (i) made several more verbal and written requests for the promised “more complete response”, including a second “14-day letter” dated September 26, 2018;
  - (ii) received several communications from Mr. Richert, including a request for another extension, this time to October 10, 2018 (which was granted); and,
  - (iii) received several more communications from Mr. Richert, including a request for yet another extension, to November 21, 2018 (which was also granted).

What Mr. Donaldson did not receive was a substantive response to the single question set out in his letter of August 22, 2018. In the interim, the first citation had been signed by the Chief Executive Officer of the Society.

13. The Society received a substantive response to the M Complaint from Mr. Richert on December 14, 2018.

#### **The Dickson Complaint**

14. Ms. Dickson is a practising lawyer in Brandon. Her complaint was received by the Society on August 15, 2018. Ms. Dickson had been retained by the executor of an estate, and had – about three months prior – sent Mr. Richert a written request to have the estate file transferred to her. Prior to lodging her complaint, she had sent Mr. Richert several follow-up requests for the file.

15. Mr. Donaldson made two unsuccessful attempts to contact Mr. Richert, by telephone and by email, on August 30, 2018. On September 5, 2018 (no response having been received to either communication), Mr. Donaldson sent a fax copy of the Dickson Complaint to Mr. Richert, together with a cover letter requiring his response within 14 days (that is, by September 19, 2018). The next day, Mr. Richert acknowledged having received the most recent correspondence from Mr. Donaldson. He did not otherwise respond to the substance of the Dickson Complaint within the stipulated time period.
16. Another voice mail was left for Mr. Richert on September 24, 2018. When no response to that communication was received, Mr. Donaldson faxed another letter, dated September 26, 2018, requiring that Mr. Richert respond to the several matters which were by then outstanding, by October 10, 2018.
17. Mr. Richert then submitted emails dated October 1, 2018 and October 4, 2018, but neither mentioned the Dickson Complaint. Mr. Donaldson replied by email the same day, listing the particulars of the three matters which were then still outstanding.
18. The deadline for responding to the Dickson Complaint was later extended to November 9, 2018 and then, still later, to November 21, 2018. When the Donaldson affidavit was sworn on December 5, 2018, Mr. Richert had not yet provided a response to the Dickson Complaint. To the best of his knowledge at that time (based on a telephone conversation Mr. Donaldson had had with Ms. Dickson the prior week), the estate file had not yet been delivered to her.
19. The Society received a substantive response to the Dickson Complaint from Mr. Richert on December 14, 2018. The same day, it received confirmation from Ms. Dickson that she had received both the contents of the estate file, and the related trust ledger and trust funds.

**The K                      Complaint**

20. Ms. K                      was a client of Mr. Richert with respect to a divorce and family property matter. The K                      Complaint was received by the Society on July 9, 2018.
21. On July 18, 2018, Ms. Houser sent fax, email, and Canada Post expedited parcel service copies of the K                      Complaint to Mr. Richert, together with a cover letter requiring his response to the complaint within 14 days. The fax did not go through, and Mr. Richert did not respond to the email, but the Canada

Post tracking tool indicated that package had been delivered to the physical office address which the Society had in its records for Mr. Richert on July 23, 2018.

22. Ms. Houser next heard from Mr. Richert on August 13, 2018, about 3-4 weeks later. He advised that he had not seen any of her attempted communications until July 30, 2018, and he requested an extension to August 15, 2018 to respond. The following day, Ms. Houser granted an extension but it was to August 20, 2018 (a few days more than had been requested).
23. Mr. Richert provided a substantive response to the K Complaint on August 22, 2018, explaining that he had been away ill the prior two days. In due course, the response was sent on to the complainant for her comments.
24. Ms. Houser later determined that a review of the K file would be helpful to her investigation. She sent Mr. Richert a letter dated October 23, 2018 requiring that he deliver the file to the Society for her review within 14 days. [Note: The client was correctly named on the subject line in this letter, but was misnamed in the first paragraph. Mr. Richert quite properly requested clarification in his email of November 7, 2018, and Ms. Houser quite properly apologized for the error.]
25. In his email of November 7, 2018, Mr. Richert asked for, and was granted, an extension to November 21, 2018 to provide the requested file. When the file was not received by that time, the Chief Executive Officer of the Society authorized the third count, which was then reflected in the citation signed on December 4, 2018.
26. Mr. Richert attended before the Complaints Investigation Committee of the Society on December 12, 2018. At that time, he gave an Undertaking to, among other things, provide the K file to the Society by no later than 5:00 PM on Friday, December 21, 2018.

The Society acknowledged at the hearing before this Panel that Mr. Richert had in fact posted the package containing the file at 5:17 PM that day (in Brandon), and that this constituted satisfactory compliance with his Undertaking notwithstanding that the package was not actually received until January 2, 2019 when the Society offices reopened following the holiday break. The Panel accepted that this was a reasonable and proper concession for the Society to have made in the circumstances.

### **Other Relevant Evidence**

27. The investigations into the Complaints are ongoing. There are no charges of professional misconduct pending against Mr. Richert based on any of the Complaints.

### **Evidence of the Member**

28. Mr. Richert did not tender any formal evidence, but – with the acquiescence of counsel for the Society – was given some latitude by the Panel to provide explanations for the conduct which he agreed had been accurately described in the two affidavits tendered by the Society.

### **Relevant Authorities and Principles**

29. Mr. Kravetsky provided a Book of Authorities, as well one additional authority from Ontario, prior to the hearing. The “Contents” page is attached as an appendix to this Decision, and the cases cited in the “Analysis” section of this decision will be referred to by the name of the member involved. The additional authority is cited as *Law Society of Upper Canada v. Desjardins*, 2016 ONLSTH 79.
30. The Panel is indebted to the prior Discipline Panels of the Society which have articulated the principles applicable to cases such as this one. These principles (in no particular order of importance) include the following:
- (i) If members fail to cooperate with investigations by not responding to lawful inquiries, the Society will be unable to fulfill its statutory mandate to govern the legal profession in the public interest. (*Wang*)
  - (ii) The obligation to respond to communications from the Society is not a mere technical or bureaucratic requirement; it is an ethical duty as a member of a regulated profession. (*Wang*, citing *Law Society of Upper Canada v. Ghobrial*, 2014)
  - (iii) Unlike an accused in a criminal investigation, a member of a self-regulated profession does not have the privilege of remaining silent in response to an investigation by the regulator. (*Wang*)
  - (iv) The confidence of the public in the legal profession requires the Society to be able to respond to public complaints promptly, and that in turn depends on licensees prioritizing their responses. (*Desjardins*)

- (v) It is well-known, or should be well-known by all members of the Society, that any request for information from its governing body requires a timely reply. If members do not comply with the requirement, it can seriously affect the ability of the Society to enforce its mandate of protecting the public. (*Wang, citing Poole No. 1*)
  - (vi) The 14-day letter rule is fundamental to the governance process of the Society. (*Wang, citing Poole No. 2*)
31. With respect to penalty, the guiding principles include the following:
- (i) A prior breach of the same rule is an aggravating factor in terms of penalty. In the case of second offence following a reprimand for the first offence, the Panel needs to consider whether a fine ought to be levied. (*Poole No. 2*)
  - (ii) The purposes of law society discipline proceedings are not to punish offenders and exact retribution, but rather to protect the public, maintain high professional standards, and preserve public confidence in the legal profession. (*Nadeau, citing Lawyers & Ethics: Professional Responsibility and Discipline, Gavin McKenzie, Carswell 2012*)
  - (iii) The discipline hearing panel focuses on the offence rather than the offender, and considers the desirability of parity and proportionality in sanctions, and the need for deterrence. ... The panel also considers ... aggravating and mitigating factors [which] include the lawyer's prior discipline record, the lawyer's reaction to the discipline process, ..., the length of time the lawyer has been in practice, the lawyer's general character, and the lawyer's mental state. (*Nadeau, citing Lawyers & Ethics: Professional Responsibility and Discipline, Gavin McKenzie, Carswell 2012*)
  - (iv) Other relevant considerations (derived from the list of "Ogilvy" factors) include: (a) the nature and gravity of the conduct proven; ... (f) the number of times the offending conduct occurred; (g) whether the respondent had acknowledged the misconduct and taken steps to disclose and redress the wrong...; (j) the impact of the proposed penalty on the respondent; (k) the need for specific and general deterrence; (l) the need to ensure the public's confidence in the integrity of the

profession; and (m) the range of penalties imposed in similar cases. (*Nadeau*)

- (v) After a guilty plea or following conviction, a Panel may consider whether the offending member has admitted guilt and expressed remorse, not for the purpose of imposing a higher penalty but for the purpose of considering whether leniency should be given. (*Nadeau*)

### **Submission of the Society**

32. On September 6, 2018, Mr. Richert pled guilty to a single charge of professional misconduct contrary to sub-Rule 5-64(5) of the *Rules* and Rule 7.1-1 of the *Code*. The citation there involved essentially the same type of misconduct which is the subject-matter of the current proceedings.
33. The obligation to comply with these provisions of the *Rules* and the *Code* is an ethical, and not merely a technical, requirement of members of the Society. It underpins, and is necessary for, the efficient processing of complaints against members. The failure to comply raises broader concerns with respect to the conduct of the particular member, and directly engages the public protection aspect of the mandate of the Society.
34. According to *Wang*, there must be “real consequences” for members who fail to respond to communications from the Society because that failure results in the Society having to expend further time, effort, and resources to enforce compliance. There is no “right to remain silent” when the Society is investigating a complaint against a member.
35. In terms of disposition, Mr. Richert received a reprimand in September, 2018. Because of the possibility that Mr. Richert was having difficulties related to an undiagnosed medical condition, the Panel also directed that a medical report be obtained. Through no fault of Mr. Richert, this particular directive has not yet been complied with; the only medical information received to date is a three-line letter from Dr. A.R. Seitz, dated October 5, 2018, which indicates that while certain medical issues were being looked into, Dr. Seitz did “not see anything that would affect Mr. Richert’s ability to practice law”.
36. The evidence in these proceedings shows not only that Mr. Richert repeatedly failed to meet the Society-imposed deadlines for responses, but that he also frequently missed those which he had set for himself.



37. While much of the *Desjardins* decision deals with a procedure not available to members in Manitoba, it stands for the proposition that a reprimand is the “default” disposition where the proceedings involve a first offence by the member and where the member has, prior to the hearing, remedied his non-compliance with the Rules.

The decision states: “While Mr. Desjardins was experiencing personal issues, they did not prevent him from responding nor were they of an exceptional nature that would distinguish this from other fail to respond cases.” The position of the Society is that this comment applies with equal force to the present case.

38. The authorities support the imposition of a fine and costs for a second “failure to respond” offence, with part of the rationale being that the reprimand handed down in the first instance did not appear to have had the hoped-for deterrent effect on the member. While a suspension is not a common feature of dispositions in these types of cases, *Gembey* was cited as an example of one where a brief suspension had been imposed on a member who had a significant history of failing to respond and for whom a previous order of supervision had not produced the desired level of compliance.
39. The purpose of a penalty is to enhance the protection of the public and to maintain the confidence of the public in the ability of the Society to effectively govern its members. The goal is not to punish, but to encourage compliance with the Rules.
40. Mr. Richert has been a member of the Society for about 13 years. As noted, he has had prior similar experience with having to respond to complaints.
41. While there may be no specific “victim” in this case, the underlying complaints remained unresolved for many months longer than they ought to have, and *no one* benefits from that unsatisfactory state of affairs.
42. In the present case, the evidence shows that: (i) measures short of discipline did not work, (ii) the threat of prosecutions did not work, and (iii) actual prosecutions did not work. These are all “aggravating factors” in the context of assessing penalty.
43. In crafting an appropriate penalty, the Panel must ask: “What measures will protect the public, while at the same time realizing the ‘rehabilitation’ and ‘redemption’ of the member? When there is a concern that the member may be

becoming 'ungovernable', what measures might work to prevent that from happening?"

In this case, an appropriate disposition could include the following elements:

- (i) a fine of \$1,500.00 plus costs of \$5,500.00;
  - (ii) a suspension;
  - (iii) cancellation of the practising certificate of the member, and issuance of a new one subject to a comprehensive order of supervision (details below) designed to significantly reduce the likelihood of future failures to respond in a timely manner to communications from the Society; and,
  - (iv) an order permitting payment of the fine and costs over time so as to lessen the burden on the member, and avoid an administrative suspension as a consequence of failing to pay the fine and costs.
44. The Society asked for (i), (iii), and (iv), arguing that the totality of these measures negated the necessity of an suspension at this time.

#### **Submission of the Member**

45. Mr. Richert did not take issue with the submission on behalf of the Society. He wished only to provide the Panel with explanations for his conduct.
46. He accepts the principles enunciated in the authorities cited by the Society, and accepts that his failure to diligently follow through with his commitments to respond to inquiries from the Society was wrong.
47. Prior to 2018, on the rare occasions when he had received communications such as "14-day letters" from Society, Mr. Richert had responded in a timely fashion such that those prior complaints were resolved without the necessity of any sort of disciplinary action on the part of the Society.
48. Mr. Richert advised that his full-time office assistant left his employ on short notice in September, 2017. He opted to carry on without an assistant and soon found that he had "overestimated" his ability to manage the office on his own. He said that that had been a "monstrously poor decision", the "first really bad decision" which led to this appearance before us. The Panel agrees with that assessment.

49. Mr. Richert told the Panel that the problems which flowed from his not having any staff were exacerbated in the time period from May, 2018 to July, 2018 when he began missing work – three to five days in a row on occasion – due to episodes of (mostly) debilitating lower back pain. He struggled to meet the various client commitments (primarily court appearances) which he had taken on during that time frame.
50. He noted specific instances when thought he *had* provided the information being sought by the Society, only to learn from subsequent contacts that only partial responses had been provided. A sense of frustration crept in, although he conceded that it would still have been “better to have responded”. He stated that he had “shut down when he should have stepped up” and corrected his behaviour to meet the (justifiably high) expectations of the Society.
51. With respect to penalty, Mr. Richert submitted that:
- (i) the Panel should take into account the fact that he was ordered to pay costs of \$2,000.00 when appeared before a different Panel four months ago;
  - (ii) while the authorities support the argument that consequences escalate in response to a second offence for the same misconduct, the pattern of his own misconduct differed in that it was a “blip on the radar” which occurred within a short timeframe – over a period of months, rather than years;
  - (iii) the Panel should consider a further reprimand, taking into account that a reprimand for a lawyer in a small community in the age of Google was in fact the very type of “real and serious consequences” mandated by the authorities;
  - (iv) in the alternative, the Panel should consider a fine at “the low end of the range”, plus costs;
  - (v) with respect to costs, Mr. Richert accepts the applicable principles (that a member being disciplined, rather than the profession as a whole, should bear the costs of his own misconduct) but submits that the \$5,500.00 proposed by the Society would be “nothing short of crippling” for him financially; and,
  - (vi) with respect to the conditions on his practising certificate recommended by the Society, they were “premature and overreaching”, and did not need to be imposed because he was now under the care of a medical

professional and because the problems that led to his misconduct are now proactively being addressed by him.

### **Reply by the Society**

52. In reply, Mr. Kravetsky submitted that:

- (i) an appropriate disposition in this case cannot be grounded solely on the promise by Mr. Richert to do better going forward;
- (ii) the proposed fine of \$1,500.00 is already at the low end of the range for “second” offences (which, in reality, are second, third, and fourth offences, all being dealt with in one proceeding);
- (iii) while the Chief Executive Officer will make the ultimate decision, any reasonable proposal from Mr. Richert to pay whatever fine and costs this Panel sees fit to order would likely be acceptable to the Society;
- (iv) although not unheard of, a second reprimand for the same misconduct is rarely granted; and,
- (v) the misconduct in this case was not “victimless” – four members of the public and two lawyers were all adversely impacted by the delays in dealing with the underlying complaints.

### **Analysis**

53. The Panel wishes to thank both Mr. Richert and Mr. Kravetsky for their concise, relevant, and thoughtful submissions.

54. The right to self-governance is a fragile thing. In other parts of the common law world, the failure of Law Societies to effectively govern and regulate their members in the public interest – an almost universal mandate – led to an erosion in the faith governments (and, more importantly, of the public those governments represent) had in the willingness and capacity of those legal professionals to “rein in” rogue members. Practitioners in those jurisdictions ultimately lost the right to self-govern.

55. The several complainants in this matter would be justified in wondering whether the Society is one of those ineffective regulators. Ms. M ——— might reasonably ask: “How can a lawyer get away with this?” Mr. Sholdice or Ms. Dickson might reasonably ask: “How can it take so long to have a client file transferred, and why can’t the Society *do* something about it?” These are legitimate questions.

56. In fact, the Society takes its core statutory mandate – to govern its members in the public interest – very seriously, and it works hard to justify the continued faith which the government has in it to fulfill that mandate. The evidence of the two Complaints Resolution Counsel indicates a strong willingness to work with lawyers who find themselves the subject of a complaint to achieve an early and mutually-satisfactory resolution somewhere short of formal discipline. The evidence also shows a willingness to extend whatever accommodations may be necessary to enable the member to respond to the complaint before invoking formal discipline. It is, after all, the very livelihood of that member which is often at stake.
57. But it is a two-way street. The privilege of being admitted as a member of the Society brings with it the concomitant obligation to maintain the integrity of the profession by exercising, among other things, assiduous compliance with the Rules of the Society.

#### **Disposition**

58. As noted in Para. 3, Mr. Richert pled guilty to two counts of professional conduct contrary to sub-Rules 5-64(3) and 5-64(4) of the *Rules* and Rule 7.1-1 of the *Code*, and a third which also referenced Rule 5-64(5) of the *Rules*.
59. Based on the facts and evidence admitted by Mr. Richert, and on the relevant authorities cited above, this Panel directs that:
- (i) the practising certificate currently held by Mr. Richert be cancelled, and that a new practising certificate be issued to him subject to the following conditions:
    - (a) Mr. Richert shall provide to the Society an email address at which he will receive communications from the Society;
    - (b) Mr. Richert shall open all folders in that email account no less frequently than once per business day, including its inbox folder, its junk folder, and its spam folder;
    - (c) Mr. Richert shall acknowledge receipt in writing (which may be by email) of each communication from the Society, that acknowledgement to be sent within 24 hours of receipt of the communication;
    - (d) Mr. Richert shall at all times have in place a practising member of the Society, acceptable to the Society, who has agreed and signed an Undertaking to:

- (1) receive copies of communications to Mr. Richert from the Society;
  - (2) confirm with Mr. Richert that he has received and read each such communication;
  - (3) if required by the Society, confirm to it that he or she has received from Mr. Richert confirmation of his receipt of one or more specific communications from the Society;
  - (4) report promptly to the Society if Mr. Richert fails to provide the confirmation described in the immediately preceding paragraph;
  - (5) use his or her best efforts to ensure that Mr. Richert responds fully, completely, and on a timely basis to each communication from the Society;
  - (6) if required by the Society, report promptly to it as to the measures taken by him or her to ensure that Mr. Richert has responded fully, completely, and on a timely basis to a particular communication from the Society;
  - (7) report promptly to the Society if Mr. Richert fails to cooperate in making a full, complete, and timely response to a communication from the Society; and,
  - (8) not withdraw from his or her Undertaking except on not less than 30 days written notice to Mr. Richert and to the Society, or upon being relieved of the Undertaking by the Society.
- (ii) the above conditions will remain in force for a period of not less than two years from the date of this decision, after which Mr. Richert may apply to be relieved of the conditions, either with the consent of the Chief Executive Officer or on application to the Discipline Committee;
- (iii) a fine of \$1,500.00 be levied against Mr. Richert;
- (iv) costs of \$4,500.00 be assessed against Mr. Richert; and,
- (v) the fine and costs be paid by Mr. Richert on a schedule set by the Chief Executive Officer, provided that full payment shall not be required prior to the date when Mr. Richert becomes eligible to seek to be relieved of the conditions set out above, and provided further that full payment

shall be made prior to any direction relieving Mr. Richert of those conditions.

DATED this 14<sup>th</sup> day of March, 2019.

Dean D. Scaletta

Dean Scaletta

Karen Webb

Karen Webb

Lynne McCarthy

Lynne McCarthy

## APPENDIX TO REASONS FOR DECISION

### CONTENTS

#### TAB DOCUMENTS

##### **The Act, Rules and Code**

1. *The Legal Profession Act*, S.M. 2002, c.44, C.C.S.M. c. L107, s. 72(1)
2. *Rules of The Law Society of Manitoba*, Rules 5-93 to 5-100
3. *Rules of The Law Society of Manitoba*, Rule 5-64
4. *Code of Professional Conduct*, Rule 7.1-1

##### **Failure to Respond to the Society - Principles**

5. *The Law Society of Manitoba v Wang*, 2015 MBL 12

##### **Penalty - Principles**

6. *The Law Society of Manitoba v. Nadeau*, 2013 MBL 4, Case 13-01 -excerpt

##### **Penalty - Precedents**

7. *The Law Society of Manitoba v Poole*, 2009 MBL 5
8. *The Law Society of Manitoba v. Greenberg*, 2012 MBL 9
9. *The Law Society of Manitoba v. Mayer*, 2012 MBL 12
10. *The Law Society of Manitoba v Gembey*, 2017 MBL 12