



# DISCIPLINE CASE *DIGEST*

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## **Case 06-01**

**HARLEY JEROME GREENBERG**  
Winnipeg, Manitoba

**Called to the Bar**  
June 23, 1983

**Particulars of Charges**  
Professional Misconduct

- Breach of Rule 5-63(3) and (4) [failure to provide written response to the Law Society]

**Date of Hearing**  
April 3, 2006

**Panel**  
Donald R. Knight, Q.C. (Chair)  
William S. Gange  
Dr. Jane Ursel

### **Disposition**

- Reprimand
- Costs of \$1,000.00

**Counsel**  
Darcia A.C. Senft for The Law Society of Manitoba  
Member Unrepresented

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## **Failure to Respond**

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### **Facts**

Mr. Greenberg was retained to represent a client with respect to civil litigation matters.

In February, 2005, the client submitted a complaint to the Society regarding Mr. Greenberg's conduct and specifically, with respect to the quality of the legal services rendered. The Society attempted to resolve the complaint on an informal basis but was unable to do so. Accordingly, Discipline Counsel wrote to Mr. Greenberg seeking his written response to the concerns that had been raised by the client. Mr. Greenberg contacted the Society to request an extension of time for the purpose of responding to the complaint and an extension was ultimately granted. Mr. Greenberg did not provide his written response to the Society within the time prescribed.

The Society again wrote to Mr. Greenberg seeking his written response within 14 days of his receipt of the said letter. Mr. Greenberg failed to respond within the time prescribed.

Mr. Greenberg was charged with breaching Rules 5-63(3) and (4) as a result of his failure to provide a written response to the Society.

### **Plea**

Mr. Greenberg entered a plea of guilty to the charge.

### **Decision and Comments**

The panel found Mr. Greenberg guilty of professional misconduct based on his admission to the charge.

### **Penalty**

The panel accepted a joint recommendation made by the Society and Mr. Greenberg and ordered that Mr. Greenberg be reprimanded for his conduct in this matter and that he pay costs to the Society in the amount of \$1,000.00 as a contribution towards the costs associated with the investigation, prosecution and hearing of the matter.

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