



# DISCIPLINE CASE *DIGEST*

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## **Case 95-17**

**THOMAS ANDREW BUNN**  
Winnipeg, Manitoba

**Called to the Bar**  
June 25, 1976

**Particulars of Charges**  
Professional Misconduct (1 count)

- taking a fee without sending a bill

**Date of Hearing**  
June 20, 1995

**Panel**  
Donald Knight, Q.C. (Chairperson)  
Lawrence McInnes  
George Chapman, Q.C.

### **Disposition**

- reprimand
- costs of \$700.00

**Counsel**  
Daniel Dutchin for the Law Society  
Fredrick Bortoluzzi for the Member

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## **Improper Fees**

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### **Facts**

Mr. Bunn, who was called to the Bar on June 25, 1976, appeared before the Discipline Committee on July 20, 1995.

While acting for a client on a real estate transaction, Mr. Bunn withdrew money from his trust bank account for the recovery of fees without a bill for such fees being prepared and sent to his client at the time the monies were withdrawn. This was contrary to *Rule 129(1)(c)* of Rules of The Law Society of Manitoba. It was determined that the client was aware of the amount of fees taken by Mr. Bunn.

### **Comments of the Discipline Committee**

Mr. Bunn admitted to the charge of professional misconduct.

The Committee noted that this was a breach of the Rules of the Law Society notwithstanding the client's concurrence with the amount of fees taken by Mr. Bunn.

### **Findings and Penalties**

The Committee found that Mr. Bunn was guilty of professional misconduct on the basis of his admission to the charge and imposed a reprimand and also ordered that costs be paid in the amount of \$700.00.

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