

STATE BAR OF NEVADA



September 4, 2020

LETTER OF REPRIMAND

SENT VIA CERTIFIED MAIL: 7019 2280 0001 8733 2425

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**Re: State Bar of Nevada Disciplinary Grievances:
OBC20-0349 (Steve Sanson)
OBC20-0453 (Ali Shahrokhi)
OBC20-0509 (Monique Epperson)**

Dear Mr. Ghibaudo:

A Screening Panel of the Southern Nevada Disciplinary Board reviewed the above-referenced grievances and unanimously determined to issue you a Letter of Reprimand for violations of Rules of Professional Conduct (RPC) regarding your handling of the following cases.

GRIEVANCES

Steve Sanson, State Bar Grievance No. OBC20-0349:

You met nonlawyer Steve Sanson in 2017. After meeting him you expressed to him an interest in him referring litigants to you in exchange for a referral fee of twenty percent of any fees that you collected. Between 2017 and 2018 Mr. Sanson referred approximately twelve new clients to you. In exchange for the referrals you paid Mr. Sanson referrals fees in cash or via PayPal.

Ali Shahrokhi, State Bar Grievance No. OBC20-0453:

Ali Shahrokhi, stated that on April 28, 2019, he met with you for a free consultation related to his pending child custody case. Shahrokhi claimed that your paralegal, Mark Dicterio, completed the intake, and he provided Dicterio with paperwork from his case, as it was sealed. However, Shahrokhi decided not to retain you following the consultation.

Subsequently, on April 9, 2020, Shahrokhi claimed that Dicterio publicly discussed his case on social media and made false statements about his character, which Shahrokhi believed had violated his attorney/client privilege.

In the online post, Dicerio called out Shahrokhi's comment on a website stating, "Ali, like Sanson and most of his followers, is homophobic and an abuser/stalker who lost custody of his kid (I know this because Ali came to me asking for help once)."

In response to the allegation, you stated that that Shahrokhi was referred to you by Dicerio, who in addition to being employed by you operates a document preparation service called Pro Se Pros. You claim that Shahrokhi contacted Pro Se Pros for assistance, so Dicerio was present during the consultation as he was aware of the procedural posture of the case and some of the substantive issues and facts.

Monique Epperson, State Bar Grievance No. OBC20-0509:

On or about June 20, 2017, Monique Epperson retained you to represent her in an ongoing family law dispute with her ex-husband, Tony Velasco. Epperson paid you a \$2,500 retainer fee that was to be billed against on an hourly basis. Epperson complained *inter alia* that you did not provide her with a detailed billing.

You stated that you provided Epperson with a final bill but failed to provide the State Bar with records in support of your claim.

REPRIMAND

Based upon the foregoing, you are hereby REPRIMANDED for your conduct related to representation of the foregoing clients, which conduct violated the Nevada Rules of Professional Conduct ("RPC") as follows:

RPC 1.5 (Fees) – for failing to provide Ms. Epperson with a detailed billing which prevented her from challenging the reasonableness of your fees.

RPC 1.15 (Safekeeping) – for failing to render an accounting of the retainer that you held for Ms. Epperson.

RPC 5.3 – (Responsibilities regarding nonlawyer assistants) for failing to supervise your assistant, Mark Dicerio's, conduct of posting online comments regarding Mr. Shahrokhi's case.

RPC 5.4 (Professional Independence of a Lawyer) for splitting legal fees with nonlawyer Mr. Sanson.

RPC 7.2(a) (Advertising) for agreeing with nonlawyer Mr. Sanson to have him refer new cases to you and paying him a referral fee for each case that he referred to you.

The Nevada Supreme Court and the American Bar Association Standards for Imposing Lawyer Sanctions adopted an analysis of four factors to consider for disciplinary sanctions: the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors..." *In re Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (Nev. 2008).

The evidence shows that you were negligent in supervising your paralegal Mark Diccero's conduct. You were also negligent in failing to ensure that you provided Ms. Epperson a final billing of the funds that she had on retainer with you. Additionally, the evidence shows that you knowingly entered into an agreement to share fees with nonlawyer Sanson.

Your decision to share fees with Sanson has caused injury to the legal profession. Your conduct also caused injury to Shahrokhi by posting facts about his case out into the public. Further, Ms. Epperson was harmed by not having a billing with which she might use to challenge the reasonableness of your fees through the fee dispute process.

Thus, weighing the rules violated, your mental state, the potential or actual injury caused, ABA Standard 7.3 provides the most appropriate discipline. It states that "Reprimand is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal profession."

The Supreme Court of Nevada has provided two types of reprimand: A Public Reprimand or a Letter of Reprimand. The latter is the lowest form of discipline available. Based upon the above factors, the Panel finds that the lesser of the two sanctions is appropriate.

Finally, in accordance with Nevada Supreme Court Rule 120 you are assessed costs in the amount of \$1,500.

DATED this 4th day of September 2020.

Sincerely,


Gary A. Pulliam (Sep 2, 2020 13:36 PDT)

Gary Pulliam, Esq.,
Screening Panel Chair
Southern Nevada Disciplinary Board