



June 24, 2021

Steven Burke, Esq.
c/o Janeen Isaacson, Esq.
Lipson Nielson
9900 Covington Cross Drive, Suite 120
Las Vegas, NV 89144

LETTER OF REPRIMAND

Re: Referral / Nevada Supreme Court
Reference No. OBC21-0263

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Las Vegas, NV 89102
phone 702.382.2200
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fax 702.385.2878

9456 Double R Blvd., Ste. B
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Dear Mr. Burke:

You represented the appellants in *Hayashi vs. Shigeta* in the Nevada Supreme Court appeal of a case originally heard in the Eighth Judicial District Court. Your Notice of Appeal was filed with the Nevada Supreme Court on August 27, 2020.

While you filed a Docketing Statement on October 9, 2020, the Nevada Supreme Court rejected the filing as untimely. You subsequently filed a Motion to Extend Time to File Docketing Statement on November 23, 2020. On December 2, 2020, the Nevada Supreme Court granted your motion and directed you to file the docketing statement by December 9, 2020.

You failed to file the docketing statement by the December 9, 2020, deadline. In an Order filed on January 4, 2021, the Nevada Supreme Court directed you to file the docketing statement within five (5) days, and warned you that sanctions would be imposed for failing to do so.

On January 8, 2021, the Nevada Supreme Court filed a Notice of Deficient Docketing Statement (you filed without required attachments). The court directed you to re-submit a corrected docketing statement within five (5) days. However, you did not file the corrected docketing statement.

On January 28, 2021, after being informed that its settlement program had not been successful, the Nevada Supreme Court reinstated the briefing schedule. Because you still had not filed a correct docketing statement, the Nevada Supreme Court directed you to pay a \$250 sanction to the Supreme Court Law Library within fourteen days and provide proof of payment to the court. However, the sanction would be vacated automatically if, within fourteen days, you

filed a correct docketing statement. The Nevada Supreme Court cautioned that failure to comply could result in dismissal of the appeal and your referral to the State Bar for investigation.

You did not comply with the Order of January 28, 2021. Therefore, on March 4, 2021, the Nevada Supreme Court entered an Order which dismissed the appeal and referred you to the State Bar for investigation.

In mitigation, you informed the State Bar of the court's Order within hours of it being issued. You also immediately informed your clients about the court's ruling, explained your mistake and provided them with your insurance information.

You then cooperated with the State Bar's investigation. You showed honesty and candor when explaining what occurred, but still took responsibility for your actions.

In light of the foregoing, you violated Rule of Professional Conduct ("RPC") 1.3 (Diligence) and RPC 3.4(c) (Fairness of Opposing Party and Counsel). You also are assessed costs in the amount of \$1,500 pursuant to Supreme Court Rule 120 (Costs).

Sincerely,

Luke Puschnig
Luke Puschnig (Jun 22, 2021 14:39 PDT)

Luke Puschnig, Esq.
Screening Panel Chair
Southern Nevada Disciplinary Board

Letter of Reprimand - Steven Burke

Final Audit Report

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