

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
ANAN MARK ELDREDGE, BAR NO.  
9799.

No. 63375

FILED

SEP 18 2015

ORDER OF DISBARMENT

TRACE K. BRIDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

This is an automatic review, pursuant to SCR 105(3)(b), of a Southern Nevada Disciplinary Board hearing panel's findings that attorney Anan Mark Eldredge violated multiple Rules of Professional Conduct and its recommendation that he be disbarred.<sup>1</sup>

The State Bar filed a complaint containing 41 counts of misconduct related Eldredge's handling of client matters in his debt-relief law firm that resulted in substantial financial harm to multiple clients. The complaint alleged violations of the following rules of professional conduct: RPC 1.1 (competence), RPC 1.3 (diligence), RPC 1.4 (communication), RPC 1.5 (fees), RPC 1.6 (confidentiality of information), RPC 1.15 (safekeeping property), RPC 1.16 (declining or terminating representation), RPC 5.3 (supervision of nonlawyer assistants), RPC 5.4 (professional independence of a lawyer), RPC 5.5 (unauthorized practice of law), RPC 7.1 (communications concerning a lawyer's services), RPC 8.1 (bar admission and disciplinary matters), and RPC 8.4 (misconduct).

<sup>1</sup>Eldredge has been CLE suspended since April 10, 2014.

Eldredge failed to respond to the complaint, and the panel proceeded on a default basis with the charges deemed admitted. SCR 105(2). Eldredge was served with the complaint and notice of the hearing date and time, but he did not appear at the hearing. The panel concluded that counts 7 through 41 were established by clear and convincing evidence.<sup>2</sup>

This court's automatic review of a disciplinary panel's findings and recommendations is de novo. SCR 105(3)(b); *In re Discipline of Stuhff*, 108 Nev. 629, 633, 837 P.2d 853, 855 (1992). "Although the recommendations of the disciplinary panel are persuasive, this court is not bound by the panel's findings and recommendation, and must examine the record anew and exercise independent judgment." *In re Discipline of Schaefer*, 117 Nev. 496, 515, 25 P.3d 191, 204 (2001). The State Bar has the burden of showing by clear and convincing evidence that Eldredge committed the violations charged. *In re Discipline of Drakulich*, 111 Nev. 1556, 1566, 908 P.2d 709, 715 (1995).

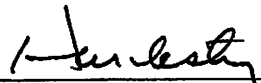
After reviewing the record of the disciplinary proceedings in this matter, we conclude that clear and convincing evidence supports the panel's findings that Eldredge committed the violations alleged in counts 7 through 41 of the complaint. We further conclude that the panel's recommended discipline is appropriate considering the aggravating factors (dishonest or selfish motive, pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding, refusal to acknowledge the wrongful nature of conduct, vulnerability of the victims, and indifference to making restitution), SCR 102.5(1), and mitigating factors (absence of


---


<sup>2</sup>The panel dismissed counts 1 through 6 due to the lack of evidence establishing any violation of the Rules of Professional Conduct.

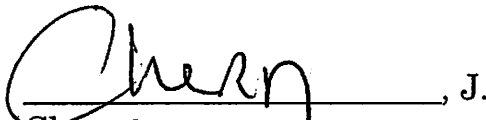
prior disciplinary record and inexperience in the practice of law) identified by the panel, SCR 102.5(2). While Eldredge challenges the panel's denial of his request for a continuance of the formal hearing and his motion for relief under NRCP 59, NRCP 60, and SCR 105(2), we conclude that those decisions were not improper. Accordingly, attorney Anan Mark Eldredge is hereby irrevocably disbarred. SCR 102(1). Additionally, Eldredge shall pay the costs of the disciplinary proceeding within 30 days of receipt of the State Bar's memorandum of costs, see SCR 120, and shall comply with SCR 115. The State Bar shall comply with SCR 121.1.


It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Hardesty


  
\_\_\_\_\_, J.  
Parraguirre

  
\_\_\_\_\_, J.  
Douglas

  
\_\_\_\_\_, J.  
Cherry

  
\_\_\_\_\_, J.  
Saitta

  
\_\_\_\_\_, J.  
Gibbons

  
\_\_\_\_\_, J.  
Pickering

cc: Chair, Southern Nevada Disciplinary Board  
Michael J. Warhola, LLC  
Bar Counsel, State Bar of Nevada  
Kimberly Farmer, Executive Director, State Bar of Nevada  
Perry Thompson, Admissions Office, United States Supreme Court