

**BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL	:	No. 118 DB 2015
Petitioner	:	
	:	
v.	:	Attorney Registration No. 19958
	:	
JEFFREY DEAN SERVIN	:	
Respondent	:	(Philadelphia)

PUBLIC REPRIMAND

Jeffrey Dean Servin, you stand before the Disciplinary Board, your professional peers and members of the public for the imposition of a Public Reprimand. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of this Commonwealth. Yet as repugnant as this task may be, it has been deemed necessary that you receive this public discipline.

Mr. Servin, you are being reprimanded today in connection with your misconduct in one client matter. In February 2013, you were retained by ValEvo AG ("ValEvo"), an alien corporation with a principal place of business in Switzerland, to represent ValEvo in recovering an outstanding balance of \$20,000 owed to ValEvo by Knox Western Corporation ("Knox"). In March 2013, Reto Seitz, CEO of ValEvo, forwarded to you, via a wire transfer, \$3,000.00 as payment of your non-refundable retainer fee.

On or about May 28, 2013, you received a check in the amount of \$2,000.00 from Knox as partial payment of its debt to ValEvo. Thereafter, you failed to promptly forward the funds to ValEvo. In September 2013, four months after your receipt of the funds, you forwarded the \$2,000.00 payment to Thomas Mohn, Mr. Seitz's

authorized representative in the United States. In or around September 2013, you forwarded to Arnold Wagner of ValEvo a civil complaint that you had informed Mr. Wagner you would file in the Court of Common Pleas of Erie County. You failed to file the complaint at the time you forwarded it to Mr. Wagner or at any time thereafter. The complaint was never docketed in the Court of Common Pleas of Erie County.

In October 2013, you met with Mr. Wagner, at which time you agreed to keep ValEvo informed without delay of the status of the court matter. In a follow-up email, Mr. Wagner confirmed that you had agreed that you would keep ValEvo informed of the status of the matter and email to Mr. Wagner and ValEvo documents received from the court in regard to the civil matter. Thereafter, you failed to respond to emails from Mr. Wagner as to the status of the civil matter.

On January 18, 2014, you returned a telephone call from Mr. Mohn, at which time you indicated to Mr. Mohn that you would call him on January 21, 2014, and provide an update on the matter. You failed to communicate as promised. On January 25, 2014, you telephoned Mr. Mohn and told him you would call on January 28, 2014, after you had communicated with the court, to update Mr. Mohn on ValEvo's claim. In response, Mr. Mohn told you that he expected a refund of the \$3,000.00 retainer fee, as you had done nothing, and he planned to retain another attorney to pursue ValEvo's claim. During the telephone conversation, you agreed to refund the retainer fee.

On January 29, 2014, you spoke with Mr. Mohn and apologized to him. You stated you would refund the retainer within thirty days. However, you failed to refund the fee within thirty days. Thereafter, Mr. Mohn made repeated requests for a refund of the fee. Despite these requests, you failed to refund the retainer fee.

On July 23, 2014, Mr. Mohn filed a claim against you in the Philadelphia Municipal Court. Subsequently, you paid Mr. Mohn and on October 14, 2014, Mr. Mohn requested the matter be withdrawn because you had paid Mr. Mohn \$3,000.00 and costs. By Order dated October 14, 2014, the matter was withdrawn without prejudice.

Your conduct in these matters has violated the following Rules of Professional Conduct ("RPC"):

1. RPC 1.3 – A lawyer shall act with reasonable diligence and promptness in representing a client.
2. RPC 1.4(a)(3) and (a)(4) – A lawyer shall keep the client reasonably informed about the status of the matter and shall promptly comply with reasonable requests for information.
3. RPC 1.15(e) – Except as stated in this Rule or otherwise permitted by law or by agreement with the client or third person, a lawyer shall promptly deliver to the client or third person any property, including but not limited to Rule 1.15 Funds, that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding the property; provided, however, that the delivery, accounting and disclosure of Fiduciary Funds or property shall continue to be governed by the law, procedure and rules governing the requirements of Fiduciary administration, confidentiality, notice and accounting applicable to the Fiduciary entrustment.
4. RPC 1.16(d) – Upon termination of representation, a lawyer shall take steps to the extent reasonably practicable to protect a client's interests,

such as giving reasonable notice to the client, allowing time for employment of other counsel, surrendering papers and property to which the client is entitled and refunding any advance payment of fee that has not been earned.

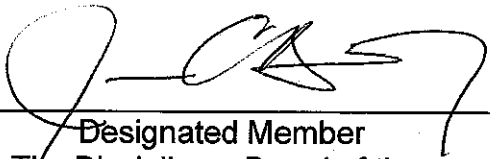
5. RPC 8.4(c) - It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

We note that you have an extensive record of prior discipline consisting of Informal Admonitions imposed in 2004 and 2007 and most recently, a Public Reprimand imposed in 2012. The Reprimand was administered for violations in two separate client matters for misconduct involving lack of diligence, failure to keep clients apprised of the status of their matters, and misrepresentation. Your record of discipline is an aggravating factor and supports the imposition of a Public Reprimand to address the misconduct at issue today.

Mr. Servin, your conduct in this matter is now fully public. This Public Reprimand is a matter of public record.

As you stand before the Board today, we remind you that you have a continuing obligation to abide by the Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement. Pennsylvania lawyers will not be permitted to engage in conduct that falls below professional standards. Be mindful that any future dereliction will subject you to disciplinary action.

This Public Reprimand will be posted on the Disciplinary Board's website at www.padisciplinaryboard.org.

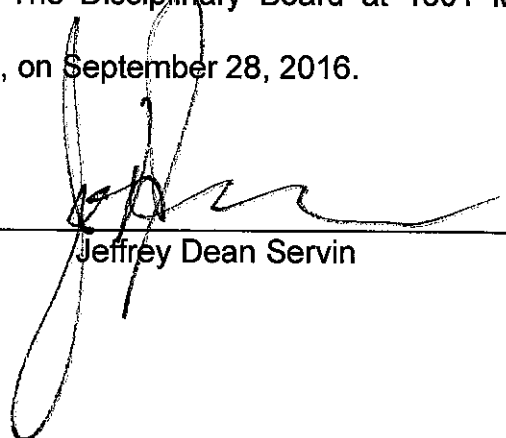


Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania
James C. Haggerty

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania, at Philadelphia, Pennsylvania, on September 28, 2016.

ACKNOWLEDGMENT

The undersigned, Respondent in the above proceeding, herewith acknowledges that the above Public Reprimand was administered in his presence and in the presence of the designated panel of The Disciplinary Board at 1601 Market Street, Suite 3320, Philadelphia, Pennsylvania, on September 28, 2016.



Jeffrey Dean Servin