

IN THE SUPREME COURT OF PENNSYLVANIA


In the Matter of: : No. 1660 Disciplinary Docket No. 3
: :
SCOTT PHILIP SIGMAN : No. 43 DB 2012
: :
: Attorney Registration No. 88151
: :
: (Philadelphia)
: :
: :

ORDER

PER CURIAM

AND NOW, this 17th day of August, 2016, the Petition for Reinstatement is granted. Petitioner is directed to pay the expenses incurred by the Board in the investigation and processing of the Petition for Reinstatement. See Pa.R.D.E. 218(f).

A True Copy Patricia Nicola
As Of 8/17/2016

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

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	:	No. 43 DB 2012
SCOTT PHILIP SIGMAN	:	
	:	Attorney Registration No. 88151
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PETITION FOR REINSTATEMENT	:	(Philadelphia)

REPORT AND RECOMMENDATIONS OF
THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF PENNSYLVANIA:

Pursuant to Rule 218(c)(5) of the Pennsylvania Rules of Disciplinary Enforcement, The Disciplinary Board of the Supreme Court of Pennsylvania submits its findings and recommendations to your Honorable Court with respect to the above captioned Petition for Reinstatement.

I. HISTORY OF PROCEEDINGS

By Order dated February 28, 2013, the Supreme Court of Pennsylvania granted the Joint Petition in Support of Discipline on Consent Under Rule 215(d), Pa.R.D.E. and suspended Scott Philip Sigman for a period of thirty months. Mr. Sigman filed a Petition for Reinstatement on March 30, 2015. Office of Disciplinary Counsel filed a Response to Petition on September 16, 2015.

A reinstatement hearing was held on December 10 and December 16, 2015, before a District I Hearing Committee comprised of Chair Dion G. Rassias, Esquire and Members Timothy A. Kulp, Esquire and Jillian A.S. Roman, Esquire. Petitioner was represented by Samuel C. Stretton, Esquire. Petitioner introduced exhibits, called a total of fifteen witnesses and testified on his behalf. Office of Disciplinary Counsel introduced exhibits and did not present any witnesses. The Committee kept the record open so that Office of Disciplinary Counsel could circulate an exhibit to the Committee and that Petitioner could introduce several documents as exhibits that Petitioner referred to during his testimony.

Following the submission of briefs by the parties, the Committee filed a Report on February 23, 2016 and recommended that the Petition for Reinstatement be granted.

No Briefs on Exception were filed by the parties.

This matter was adjudicated by the Disciplinary Board at its meeting on April 21, 2016.

II. FINDINGS OF FACT

The Board makes the following findings:

1. Petitioner is Scott Philip Sigman. He was born in 1974 and was admitted to practice law in the Commonwealth of Pennsylvania in 2001. He was also admitted to practice law in the State of New Jersey in 2001. He has been admitted to practice law in the United States District Court for the Eastern District of Pennsylvania, the District Court of New Jersey, and the United States Court of Appeals for the Third Circuit.

12/10/15 N.T. 222, 223.

2. While in law school, Petitioner worked as an intern in the Philadelphia District Attorney's Office and then was hired as an Assistant District Attorney. 12/10/15 N.T. 220, 224.

3. In addition to trying many cases, particularly in the area of drug enforcement, Petitioner was very active with the District Attorney's Office in working with the community. 12/10/15 N.T. 224-226, 250-252.

4. Petitioner was also active with the Philadelphia Bar Association and in the community and won numerous civic awards. 12/10/15 N.T. 240, 241.

5. Petitioner was the Chairman of the Young Lawyers' Division of the Philadelphia Bar Association and later served on the Board of Governors of that organization. (12/10/15 N.T. 240-242) He was very active with the Lawyers' Club. (12/10/15 N.T. 242) He became Treasurer of that organization and served on numerous subcommittees. (12/10/15 N.T. 244) Petitioner was very active with the Temple Law School Alumni Association and served on the Executive Committee, and was active with the Temple Inns of Court and the Brandeis Society. 12/10/15 N.T. 246.

6. Petitioner was named the 2013 Pro Bono Lawyer for the First Judicial District in Criminal Law. 12/10/15 N.T. 250.

7. Petitioner began working for the law firm of Bochetto & Lentz, P.C. ("B & L") in 2005. This employment lasted through 2009. 12/10/15 N.T. 228.

8. Petitioner had a troubled personal and professional relationship with Mr. Bochetto. According to Petitioner, Mr. Bochetto became like a father figure to him and Petitioner began to spend an inordinate amount of time working at the office with Mr. Bochetto and socializing with him. 12/10/15 N.T. 233-235.

9. Petitioner tried to follow Mr. Bochetto's lifestyle, but did not have the money and thus money issues developed between the two men. 12/10/15 N.T. 235, 236.

10. Petitioner filed a lawsuit against Mr. Bochetto for referral fees Mr. Bochetto owed him which were well over \$100,000.00. Petitioner stated he won in arbitration and in the Court of Common Pleas and the Superior Court affirmed the ruling. The Supreme Court of Pennsylvania recently denied Mr. Bochetto's Petition for Allowance of Appeal. 12/10/15 N.T. 311-314.

11. After Petitioner left B & L, he was a partner at Sigman & Zimolong, LLC primarily concentrating in criminal defense. Reinstatement Questionnaire No. 20.

12. Petitioner was suspended from the practice of law on consent for a period of thirty months by Supreme Court Order of February 28, 2013. P-1.

13. The suspension arose out of four cases in which Petitioner mishandled and retained funds due to B & L. In addition, Petitioner made false statements in a letter, affidavit and deposition; allowed an attorney outside the B & L firm to use his firm's Westlaw password, incurring significant charges; and, failed to advise B & L that a client matter had originated by another attorney. ODC-16, pp. 5 – 55.

14. In May 2013, A. Charles Peruto, Jr., Esquire hired Petitioner to work in Mr. Peruto's office as a paralegal. 12/10/15 N.T. 112; P-12.

15. Petitioner was suspended when Mr. Peruto hired him and Petitioner was aware that as a result of the suspension Order, he was required to comply with Rule 217, Pa.R.D.E. 12/16/15 N.T. 410-413; P-12.

16. Mr. Peruto was counsel for Erik Bradwell, a defendant in a criminal case filed in the Court of Common Pleas of Delaware County. 12/16/15 N.T. 409; ODC-11; P-13.

17. In May 2013, Mr. Peruto directed Petitioner to attend a proffer session with Mr. Bradwell at the Office of the District Attorney for Delaware County (“the D.A.’s office”). 12/16/15 N.T. 410, 413; ODC-11.

18. On May 14, 2013, Petitioner appeared at the D.A.’s office for the proffer session. 12/16/15 N.T. 417- 418; ODC-11; P-13.

19. Petitioner met with Assistant District Attorney (“ADA”) Jay Hannon in the lobby of the D.A.’s office. 12/16/15 N.T. 418.

20. Petitioner told ADA Hannon that he was attending the proffer session with Mr. Bradwell and that Mr. Bradwell had yet to appear. 12/16/15 N.T. 419.

21. Petitioner failed to disclose to ADA Hannon that Petitioner was a suspended attorney. 12/16/15 N.T. 418-419; ODC-11 through ODC-12.

22. Petitioner left the D.A.’s office because Mr. Bradwell did not appear. 12/16/15 N.T. 419.

23. Thereafter, Petitioner and ADA Hannon exchanged a series of emails in order to reschedule the proffer session. 12/16/15 N.T. 419.

24. Petitioner and ADA Hannon rescheduled the proffer session to May 29, 2013, to be held at the D.A.’s office. 12/16/15 N.T. 420-421; ODC-11; P-13.

25. Petitioner failed to disclose that he was a suspended attorney in the emails he sent to ADA Hannon. 12/16/15 N.T. 419-420; ODC-11.

26. Petitioner had neglected to ensure that every electronic device he was utilizing to send emails included in his signature line a statement that he was a suspended attorney. 12/10/15 N.T. 121-122.

27. On May 29, 2013, ADA Hannon met with Petitioner and Mr. Bradwell at the D.A.’s office. (12/16/15 N.T. 421). ADA Hannon asked to speak with Petitioner

privately, presented Petitioner with a copy of the Suspension Order, and inquired if Petitioner was the individual named in the Order. (12/16/15 N.T. 421) Petitioner confirmed that he was a suspended attorney. ADA Hannon cancelled the proffer session. 12/16/15 N.T. 422.

28. Prior to Petitioner attending the proffer session with Mr. Bradwell, Petitioner was aware of the limitations regarding client contact set forth in Pa.R.D.E. 217(j). 12/16/15 N.T. 413.

29. Despite Petitioner's awareness of the limitations regarding client contact, Petitioner followed Mr. Peruto's direction and attended the proffer session with Mr. Bradwell. 12/16/15 N.T. 414, 417.

30. Petitioner believed, at that time, that his attendance at the proffer session was permissible because he had received that advice from Mr. Peruto, because Petitioner would be taking notes and not dispensing legal advice to Mr. Bradwell, and because Mr. Bradwell had been advised that Petitioner was a suspended attorney.

31. Petitioner understands that his conduct was wrong and has accepted full responsibility for his actions. 12/10/15 N.T. 282-284; 12/16/15 N.T. 415-418.

32. As a result of his conduct in connection with the representation of Mr. Bradwell, Petitioner was administered an Informal Admonition on July 15, 2014, for having violated RPC 8.4(c) and RPC 8.4(d), and Pa.R.D.E. 203(b)(3) via Pa.R.D.E. 217(c)(2), 217(j)(2), 217(j)(3), 217(j)(4)(iv) and (j)(4)(v). N.T. 422; ODC-12.

33. Petitioner was admitted to practice law in New Jersey at the time the Suspension Order was issued. ODC-19, P-10.

34. The New Jersey Office of Attorney Ethics (“OAE”) instituted reciprocal discipline proceedings against Petitioner before the Disciplinary Review Board (“DRB”). ODC-19.

35. OAE sought Petitioner’s disbarment in the New Jersey reciprocal discipline proceedings consistent with New Jersey law. ODC-19.

36. The DRB issued a Decision dated June 13, 2014, in which a majority recommended Petitioner’s disbarment. ODC-19.

37. On September 9, 2014, the Supreme Court of New Jersey (“the NJ Court”) heard oral argument in Petitioner’s New Jersey reciprocal discipline case. ODC-1.

38. At the oral argument, Petitioner was represented by counsel and was present. 12/16/15 N.T. 422-423, 445-446; ODC-1.

39. Petitioner made the following statements to the NJ Court, either on his own accord or in response to questions posed to him by the NJ Court.

Petitioner: What is fact – and some of the Justices were asking about time lines and everything. There is no dispute there was a business dispute between myself and Mr. Bochetto. I immediately when I left the firm, did hire an attorney and file [an] action because I wasn’t receiving referral fees at that time. That’s been filed. The Pennsylvania Superior Court has recently in the past two months ruled in my favor on that. But there is a business dispute. Was I entitled to do what I did? Absolutely not.

(ODC-1, pp. 23-24)

The Court: That wasn’t the question asked. The question asked was when did you take that money as opposed to when did you file the complaint?

Petitioner: My hiring an attorney, and the first thing we did was requesting of the –

The Court: Maybe I misspoke or you didn’t understand. Let me try again. When you misappropriated the money was that before you had the business dispute and filed a complaint or after?

Petitioner: The Datz case before – the other cases, after...

(ODC-1, p 25.)

The Court: One last question.

Petitioner: Yes, Your Honor?

The Court: Just to nit pick [sic] on the filing of the complaint. What was the date, as best you can recall, the month and year, which that complaint was filed?

Petitioner: In 2009, 2009 was when I retained an attorney and [the] complaint was filed. It had to arbitration based on –

The Court: Beginning of the year, end of the year?

Petitioner: What?

The Court: Do you remember was it the beginning of the year, end of the year?

Petitioner: No. It would've been probably –

The Court: After you left the firm?

Petitioner: Oh, after I left the firm, correct.

The Court: Okay.

Petitioner: After I left the firm so it would probably fall, probably fall time.

ODC-1, pp. 28-29.

40. In the instant reinstatement proceeding, Petitioner testified that he first commenced an arbitration proceeding against B & L, and it was only after the arbitration award was not complied with, in June 2011, that his attorneys commenced a lawsuit against B & L, George Bochetto, Esquire and Gavin P. Lentz, Esquire, by filing a Complaint in the Philadelphia Court of Common Pleas. 12/10/15 N.T. 292-295, ODC-17.

41. Petitioner admitted that his testimony before the NJ Court regarding when the lawsuit was commenced was wrong, because it stated there was ongoing litigation against B & L from shortly after he left the firm, but the major litigation against George Bochetto did not start until two years after he had left B & L. 12/10/15 N.T. 290-295; 12/16/15 N.T. 425-430, 438-442.

42. Petitioner regrets that he did not answer the Court's question in a different manner. 12/16/15 N.T. 460-461.

43. After considering the evidence, the NJ Court declined to disbar Petitioner and instead suspended him for thirty months. ODC-19.

44. The decision of the Supreme Court of New Jersey dated December 18, 2014, does not reference Petitioner's testimony regarding when the litigation was commenced. ODC-19.

45. The December 18, 2014 decision states, among other things, that "[w]e conclude that the sanction of disbarment should not turn on whether an attorney contends that his misappropriation of firm resources is justified, as a form of self-help in an ongoing dispute with his partners about compensation, or candidly admits to disciplinary authorities that his conduct was wrong." ODC-19.

46. Petitioner believes that his own emotional issues and his troubled relationship with Mr. Bochetto contributed to his misconduct. 12/10/15 N.T. 217, 272, 272-274.

47. Petitioner has sought therapy for his issues, both independently as well as couples therapy with his wife. 12/16/15 N.T. 512-517.

48. The counseling has assisted Petitioner in gaining insight into his character and has provided tools for him to avoid problems going forward. 12/16/15 N.T. 523-525, 526-527.

49. After he was suspended, Petitioner sent out the appropriate letters to all clients. He also filed a timely Certificate of Compliance. P-10, N.T. 295, 296. Petitioner has paid all costs owed to the Disciplinary Board associated with his suspension. 12/10/15 N.T. 296-297; P-11.

50. Petitioner wrote to the various websites and advertisement organizations to notify them of his suspension and asked them to take down any indication that he was still practicing law. 12/10/15 N.T. 297-299; P-1.

51. Petitioner, who was lecturing at Drexel School of Law at the time of his suspension, notified the school that he had been suspended. 12/10/15 N.T. 299; P-3.

52. Petitioner filed all of his tax returns timely during his suspension. (12/10/15 N.T. 300) He made his tax returns available through 2013 to Office of Disciplinary Counsel and during the hearing, produced and admitted into evidence his 2014 tax returns. 12/10/15 N.T. 300; P-4.

53. Petitioner fulfilled the Continuing Legal Education courses necessary for reinstatement. 12/10/15 N.T. 304, 305; P-9.

54. Petitioner read and reviewed various legal periodicals during his suspension, including those from the Philadelphia Bar Association and Temple Law School. Reinstatement Questionnaire No. 19(b).

55. After his suspension, while employed by Attorney Peruto, Petitioner also worked as a law clerk for Judge Ramy Djerassi of the Philadelphia Court of Common Pleas from July 2013 to December 2013. Judge Djerassi ultimately terminated Petitioner's employment because the Philadelphia Administrative Judge did not want a suspended lawyer working for the court system. 12/10/15 N.T. 318, 319.

56. Petitioner performs volunteer work for the Pennsylvania Prison Society and the Philadelphia Weed & Seed program and their outreach programs. He is an adjunct professor at Drexel University, where he teaches an undergraduate law class. 12/10/15 N.T. 323, 324; Reinstatement Questionnaire No. 20.

57. Judge Djerassi testified on behalf of Petitioner at the reinstatement hearing. He indicated that Petitioner expressed full remorse for his misconduct and accepted full responsibility. Judge Djerassi knows of no facts that would cause him to have any concern as to Petitioner's reinstatement. 12/10/15 N.T. 75, 76.

58. Ann Schwartzman, the Executive Director of the Pennsylvania Prison Society, testified on behalf of Petitioner. She indicated Petitioner is the Prison Reentry Coordinator and has volunteered a great deal of time to the Prison Society during his suspension. 12/10/15 N.T. 161-164.

59. Ms. Schwartzman noted that Petitioner accepted full responsibility for his misconduct. 12/10/15 N.T. 166.

60. Retired Judge Sandra Mazer Moss confirmed Petitioner's excellent activities with the Temple Law Association and the Brandeis Law Society when he was an active lawyer. She also confirmed his many activities at the Temple Inns of Court. 12/10/15 N.T. 28-31.

61. Retired Workers Compensation Judge Michael Snyder confirmed Petitioner's excellent activities on a volunteer basis when he was a practicing lawyer with the Brandeis Law Society and the Temple Inns of Court. 12/10/15 N.T. 37, 38.

62. Judge Snyder indicated that Petitioner has accepted full responsibility and expressed great remorse for his misconduct. 12/10/15 N.T. 40.

63. A. Charles Peruto, Jr., Esquire testified on behalf of Petitioner and described Petitioner as doing excellent paralegal work for him. N.T. 98.

64. Mr. Peruto indicated that Petitioner expressed full remorse for his misconduct. 12/10/15 N.T. 100.

65. Mr. Peruto credibly testified to Petitioner's excellent reputation in the community as a peaceful and law-abiding person, and as a truthful and honest person. 12/10/15 N.T. 109, 110.

66. Mr. Peruto intends to hire Petitioner as a practicing lawyer if he is reinstated to the practice of law. Mr. Peruto indicated he has no hesitation in recommending Petitioner's reinstatement to the practice of law. N.T. 110, 111.

67. Sheryl Axelrod, Esquire testified on behalf of Petitioner. She is a former President of the Temple Law Alumni Society and confirmed Petitioner's involvement with that organization. She indicated that Petitioner has admitted and accepted full responsibility for his misconduct and is very remorseful. 12/10/15 N.T. 142, 143.

68. Ms. Axelrod testified credibly as to Petitioner's excellent reputation in the community as a peaceful and law-abiding person and a truthful and honest person. 12/10/15 N.T. 146-148.

69. Pamela Sigman is Petitioner's wife. They have been married since 1996 and have twins who were born in 2012. Since the birth of their children and after his suspension, Petitioner has spent a great deal of time with family. Mrs. Sigman confirmed that Petitioner is an excellent father. 12/10/15 N.T. 194,195, 196.

70. Mrs. Sigman confirmed that Petitioner's relationship with George Bochetto was not good and crossed the line at times, but she indicated that Petitioner has accepted full responsibility and expressed remorse to her for his serious misconduct. 12/10/15 N.T. 197, 198, 200.

71. Mrs. Sigman testified credibly as to Petitioner's good reputation in the community as a truthful and honest person and as a peaceful and law-abiding person. 12/10/15 N.T. 201, 202.

72. A number of persons appeared at the hearing on Petitioner's behalf. A stipulation was entered that they would all testify that Petitioner's reputation in the community as a truthful and honest person and as a peaceful and law abiding person was excellent. (12/10/15 N.T. 188) These witnesses were as follows:

- a. Natalie Klyashtoray, Esquire;
- b. Mitchell Klevan, Esquire;
- c. Police Captain Joseph Bologna;
- d. Michael Adler, Esquire;
- e. Evan Shingles, Esquire;
- f. Richard DeSipio, Esquire;
- g. Police Office Tina Willis;
- h. Police Captain Lou Campione.

73. Petitioner offered credible testimony on his own behalf. He has accepted full responsibility for the misconduct that led to his suspension. 12/10/15 N.T. 257.

74. Petitioner stated as follows:

Overall, what I did was, I did things that were not appropriate, ethical or were incorrect under the Rules of Canons [sic] and I'm absolutely sorry for it. I have no excuse for it and I'm sorry and I've moved past this. I am a different person.

12/10/15 N.T. 257.

75. Petitioner recognized that his conduct disgraced the legal profession and himself. He accepted full responsibility and asked for the opportunity to become a lawyer again to serve his clients and continue with his community and bar association work. 12/16/15 N.T. 548 – 550.

76. If reinstated, Petitioner intends to practice criminal defense with Attorney Peruto's law firm. Reinstatement Questionnaire No. 18.

III. CONCLUSIONS OF LAW

1. Petitioner has demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in the law required for admission to practice law in this Commonwealth. Rule 218(c)(3), Pa.R.D.E.

2. Petitioner has demonstrated by clear and convincing evidence that his resumption of the practice of law will be neither detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E.

IV. DISCUSSION

Petitioner seeks readmission to the practice of law in Pennsylvania following his suspension on consent for a period of thirty months, imposed on February 28, 2013. Petitioner bears the burden of proving by evidence that is clear and convincing, that he is morally qualified, competent and learned in the law and that his resumption of the practice of law will not be detrimental to the integrity and standing of the bar or the administration of justice nor subversive of the public interest. Rule 218(c)(3), Pa.R.D.E.; *In the Matter of Jerome J. Verlin*, 721 A.2d 600, 602 (Pa. 1999).

A reinstatement proceeding is a searching inquiry into a lawyer's professional and moral fitness to resume the practice of law. The object of concern is not solely the transgression that gave rise to the lawyer's suspension, but rather the nature and extent of the rehabilitative efforts made since the time the sanction was imposed and the degree of success achieved in the rehabilitative process. *Philadelphia News, Inc. v. Disciplinary Board of the Supreme Court*, 363 A.2d 779, 780-781 (Pa. 1976).

We conclude from the evidence of record that Petitioner has met his burden and we recommend that the Petition for Reinstatement be granted.

The underlying misconduct for which Petitioner consented to a thirty month period of suspension was his misappropriation of law firm funds in four separate matters; failure to advise his employer that a client matter was originated by a referral from an outside attorney; preparing a letter that contained several misrepresentations; offering false testimony during a deposition; drafting an affidavit that was misleading; and, providing his law firm's Westlaw password to an outside attorney.

The record supports the conclusion that Petitioner is morally qualified, competent and learned in the law. Petitioner fully acknowledged his misconduct and that such misconduct deserved suspension. Petitioner's misconduct arose out of his employment with the B&L law firm and in particular, his problematic relationship with George Bochetto. Petitioner has rehabilitated himself by seeking counseling to gain insight into his character and to ensure he does not develop the same problems in the future. In offering an explanation for the misconduct regarding his past troubles with the B & L firm, Petitioner has not attempted to minimize his actions and understands he is responsible for his wrongdoing.

Substantial evidence in the form of numerous character witnesses was presented, including highly respected members of the bar who appeared on Petitioner's behalf to attest to his remorse, his rehabilitation, competency and good character. By all accounts, Petitioner is known as a hard worker and a dedicated employee and colleague. This reliable and favorable testimony left no doubt that Petitioner is well-regarded and respected in his community. This evidence is indicative of the support Petitioner has

received from members of his community and the general feeling that his readmission to the bar would be a positive event.

Petitioner presented significant evidence that both prior to and during his suspension, he has been very active in his community, dedicating significant amounts of time to charitable and civic activities to benefit the Philadelphia community. The evidence demonstrates that the misconduct was unexpected to colleagues, family and friends based on their intimate knowledge of Petitioner, yet all confirmed that Petitioner acknowledged his responsibility and expressed sincere remorse.

Petitioner has made great efforts to do everything he can to make amends. During his suspension, he has obtained gainful employment, working for a period of time for Judge Djerassi and then as a paralegal for Attorney Peruto. Petitioner has used his time of suspension to strengthen his relationship with his wife and young children. He remained involved with extensive charitable activities. He fulfilled the required Continuing Legal Education credits necessary for reinstatement. In addition, his paralegal work and his review of multiple legal periodicals helped him maintain currency in the law.

The evidence of Petitioner's remorse and good character is compelling and carries significant weight in the Board's analysis of his qualifications for reinstatement. We consider this compelling and persuasive evidence in light of the evidence produced by Office of Disciplinary Counsel regarding two prior events. Office of Disciplinary Counsel contends that Petitioner has a history of reckless, dishonest behavior, as shown by his lack of judgment in the circumstances leading to the informal admonition in July 2014 and his inaccurate testimony before the NJ Court regarding the timing of his lawsuit against B & L.

Petitioner received an Informal Admonition in July 2014. This discipline was imposed because Petitioner, while on suspension and employed by Attorney Peruto, failed

to notify an assistant district attorney that he was a suspended attorney, thereby leading the assistant district attorney to believe Petitioner was an active lawyer, and appeared with a client to attend a proffer session, although the session never took place. Petitioner believed he was following the advice of his employer in an appropriate manner, but admitted that he demonstrated poor judgment and accepted full responsibility for his actions. There is no evidence that Petitioner ran afoul of the ethical rules at any other time during his suspension.

In September 2014, Petitioner testified inaccurately before the NJ Court regarding when his suit against B & L commenced. The decision of the NJ Court did not reference Petitioner's testimony on this point. Petitioner acknowledged that he misspoke and expressed regret that he did not answer the question differently.

Although Petitioner's judgment in these two events was questionable, we have carefully considered the evidence and are persuaded that Petitioner's actions do not constitute an impediment to reinstatement, as the evidence of such actions is not sufficiently weighty to overcome the significant evidence introduced by Petitioner as to his qualifications and fitness to practice law.

The totality of the record is clear and convincing that in this particular case, Petitioner has met his burden of proof that his resumption of the practice of law within the Commonwealth will be neither detrimental to the integrity and standing of the bar nor subversive of the public interest. Petitioner has demonstrated clearly and convincingly that he is fit to practice law. The Board recommends that the Petition for Reinstatement be granted.

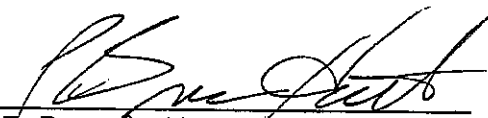
V. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that Petitioner, Scott Philip Sigman, be reinstated to the practice of law.

The Board further recommends that, pursuant to Rule 218(f), Pa.R.D.E., Petitioner be directed to pay the necessary expenses incurred in the investigation and processing of the Petition for Reinstatement.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: 
R. Brennan Hart, Board Member

Date: July 26, 2016

Board Member Cordisco did not participate in the adjudication.