IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2358 Disciplinary Docket No. 3

: Nos. 2 DB 2017 and 13 DB 2017

: Attorney Registration No. 93330 ٧.

JASON R. TAYLOR, : (Fayette County)

Respondent

Petitioner

ORDER

PER CURIAM

AND NOW, this 27th day of April, 2017, upon consideration of the Verified Statement of Resignation, Jason R. Taylor is disbarred on consent from the Bar of the Commonwealth of Pennsylvania, see Pa.R.D.E. 215, and he shall comply with provisions of Pa.R.D.E. 217. Respondent shall pay costs to the Disciplinary Board pursuant to Pa.R.D.E. 208(g).

A True Copy Patricia Nicola As Of 4/27/2017

Supreme Court of Pennsylvania

OFFICE OF DISCIPLINARY COUNSEL

No. 2358 Disciplinary Docket No. 3

Petitioner

No. 2 DB 2017

AND

No. 13 DB 2017

V.

Attorney Registration No. 93330

JASON R. TAYLOR

Respondent

: (Fayette County)

RESIGNATION BY RESPONDENT

Pursuant to Rule 215 of the Pennsylvania Rules of Disciplinary Enforcement

OFFICE OF DISCIPLINARY COUNSEL,: No. 2358 Disciplinary Docket No. 3

Petitioner: No. 2 DB 2017 - Disciplinary Board

AND

v. : No. 13 DB 2017

:

: Atty. Registration No. 93330

JASON R. TAYLOR,

Respondent : (Fayette County)

RESIGNATION UNDER Pa.R.D.E. 215

Jason R. Taylor, Esquire, hereby tenders his unconditional resignation from the practice of law in the Commonwealth of Pennsylvania in conformity with Pa.R.D.E. 215 ("Enforcement Rules") and further states as follows:

- 1. He is an attorney admitted in the Commonwealth of Pennsylvania, having been admitted to the bar on or about October 18, 2004. His attorney registration number is 93330.
- 2. He desires to submit his resignation as a member of said bar.
- 3. His resignation is freely and voluntarily rendered; he is not being subjected to coercion or duress and he is fully aware of the implications of submitting this resignation.
- 4. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has not retained, consulted with and acted upon the advice of counsel in connection with his decision to execute the within resignation.

4/10/2017

The Disciplinary Board of the Supreme Court of Pennsylvania

- 5. He is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct, the nature of which allegations have been made known to him by service of a Petition for Discipline filed with the Office of the Secretary of the Disciplinary Board on January 25, 2017, a true and correct copy of which is attached hereto, made a part hereof and marked Exhibit "A". He is further aware that he is subject to an Order from this Honorable Court entered March 16, 2017, by which he was to be placed on temporary suspension pursuant to Rule 208(f)(5), Pa.R.D.E, the facts of which, and a copy of the Order, are attached hereto, made a part hereof and marked Exhibit "B".
- 6. He acknowledges that the material facts upon which the Petition for Discipline is predicated contained in Exhibit "A" are true. He did not file an Answer to the averments contained in the Petition for Discipline and pursuant to Rule 208(b)(3), Pa.R.D.E, all factual averments are deemed admitted.
- 7. He submits the within resignation because he knows that he could not successfully defend himself against the charges of professional misconduct set forth in the attached exhibits A and B.
- 8. He is fully aware that the submission of this Resignation Statement is irrevocable and that he can only apply for reinstatement to the practice of law pursuant to the provisions of Enforcement Rule 218(b) and (c).

- 9. He is aware that pursuant to Enforcement Rule 215(c) the fact that he has tendered his resignation shall become a matter of public record immediately upon delivery of the resignation statement to Disciplinary Counsel or the Secretary of the Board.
- 10. Upon entry of the order disbarring him on consent, he will promptly comply with the notice, withdrawal, resignation, trust account, and cease-and-desist provisions of Enforcement Rule 217 (a), (b), (c) and (d).
- 11. After entry of the order disbarring him on consent, he will file a verified statement of compliance as required by Enforcement Rule 217(e) (1).
- 12. He is aware that the waiting period for eligibility to apply for reinstatement to the practice of law under Enforcement Rule 218(b) shall not begin until he files the verified statement of compliance required by Enforcement Rule 217(e)(1), and if the order of disbarment contains a provision that makes the disbarment retroactive to an earlier date, then the waiting period will be deemed to have begun on that earlier date.

It is understood that the statements made herein are subject to the penalties of 18 Pa.C.S., Section 4904 (relating to unsworn falsification to authorities).

Signed this _____ day of April, 2017.

Jason R. Taylor

WITNESS:

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner: No. 13 DB 2017

v.

JASON R. TAYLOR.

: Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION FOR DISCIPLINE

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and David M. Lame, Disciplinary Counsel, files the within Petition for Discipline, and charges Respondent Jason R. Taylor with professional misconduct in violation of the Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate



FILED
1/25/2017
The Disciplinary Board of the
Supreme Court of Pennsylvania

OFFICE OF DISCIPLINARY COUNSEL, :

v.

Petitioner: No. DB 2017

JASON R. TAYLOR, : Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION FOR DISCIPLINE

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and David M. Lame, Disciplinary Counsel, files the within Petition for Discipline, and charges Respondent Jason R. Taylor with professional misconduct in violation of the Rules of Professional Conduct and the Pennsylvania Rules of Disciplinary Enforcement as follows:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate

all matters involving alleged misconduct of an attorney admitted to practice law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

- 2. Respondent, Jason R. Taylor, was born in 1974.

 Respondent's attorney registration mailing address is 84 E. Main

 Street. Suite 2, Uniontown, PA 15401.
- 3. Respondent was admitted to practice law in the Commonwealth of Pennsylvania on October 18, 2004.
- 4. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

CHARGE I: THE WANDELL MATTER

- 5. On October 13, 2010, Respondent agreed to represent Sharon Wandell (hereinafter, Ms. Wandell) in a divorce and support action against her husband, Bruce Wandell.
 - Respondent had not previously represented Ms. Wandell.
- 7. Respondent told Ms. Wandell that to handle her case his total fee would be \$1,500, which was to include costs.
- 8. On October 13, 2010, Ms. Wandell paid Respondent the \$1,500 in cash.

- 9. Respondent provided Ms. Wandell with a Receipt of Payment, evidencing his receipt of the \$1,500 cash.
- 10. The \$1,500 cash was not deposited into Respondent's IOLTA Account he maintained at First Niagara Bank, at Account No. 983537203.
- 11. On October 27, 2010, Respondent filed or caused to be filed a Complaint in Divorce on behalf of Ms. Wandell in the Court of Common Pleas of Fayette County.
- 12. The case was captioned, Sharon Wandell vs. Bruce Wandell, and filed at No. 2972 of 2010 GD.
- 13. After Respondent told Ms. Wandell the case had been filed, Ms. Wandell telephoned Respondent at his office several times during the period of late October 2010 through the early Spring of 2011 with questions she had about the process and her case.
- 14. Because Ms. Wandell was not able to speak to Respondent, she left him voicemail messages in which she requested information and a return telephone call to the telephone number she included in her voicemail messages.

- 15. Respondent did not respond to Ms. Wandell's requests for information, he did not return her telephone calls, nor did he communicate with her by any other means.
- 16. In late Spring of 2011, Ms. Wandell relocated to Ohio which prompted her to telephone Respondent and leave him a voicemail message with her new address and telephone number.
- 17. After moving to Ohio, Ms. Wandell periodically would telephone Respondent during the remainder of 2011 and through 2012, each time leaving him a voicemail message if the mailbox was not full.
- 18. Ms. Wandell sent a facsimile letter to Respondent dated August 21, 2012, in which she requested to speak with Respondent as soon as possible about:
 - (a) Her share of her husband's pension;
 - (b) Revising the divorce papers since her husband had not yet signed them;
 - (c) Making the necessary changes to the documents and sending copies to both her and her husband; and,
 - (d) Her frustration at how many times she had attempted to communicate with Respondent by telephone,

leaving messages when his voicemail box was not full, requesting information from him; and,

- (e) Respondent not returning her calls or responding to her questions.
- 19. Sometime around Labor Day of 2012, Respondent contacted Ms. Wandell by telephone and he:
 - (a) Confirmed his receipt of her fax;
 - (b) Told her that he would make the requested revisions; and,
 - (c) He would look into the pension issue.
- 20. On October 23, 2012, the Prothonotary for the Court of Common Pleas of Fayette County sent Respondent a Notice of Proposed Termination of Court Case regarding Ms. Wandell's divorce case.
- 21. Pursuant to Rule of Civil Procedure 230.2, Respondent was notified that the Court intended to terminate the case without further notice because the docket showed no activity for at least two years. Respondent was provided with information that:
 - (a) He could stop the Court from terminating the case by filing a Statement of Intention to Proceed;

- (b) The Statement of Intention to Proceed was to be filed with the Prothonotary of the Court on or before December 28, 2012; and,
- (c) As counsel, if he failed to file the required Statement of Intention to Proceed, the case would be terminated.
- 22. On November 14, 2012, Respondent caused a timely Statement of Intention to Proceed to be filed on behalf of Sharon Wandell.
- 23. On November 28, 2012, Bruce A. Wandell, the defendant, also filed a Statement of Intention to Proceed.
- 24. After he filed the Statement of Intention to Proceed, Respondent failed to:
 - (a) Take any further action of record in Ms. Wandell's divorce case;
 - (b) Make the revisions he promised he would make to the divorce settlement documents; and,
 - (c) Do anything with the pension review as he said he would.
- 25. Respondent did not return any portion of the \$1,500 retainer he received from Ms. Wandell, nor did he return her file

or any other documents she provided to him at the start of the representation.

- 26. A DB-7 Request for Statement of Respondent's Position dated February 28, 2014 was sent to Respondent regarding his handling of Ms. Wandell's case.
- 27. Despite his acknowledgement of his receipt of that DB-7 Respondent failed to provide a statement of position.
- 28. During a telephone conversation with a representative of the Office of Disciplinary Counsel on September 16, 2015, Respondent admitted that he failed to provide a statement of position, that he owed Ms. Wandell a refund, and that he had done no work on her case other than to file the divorce complaint.
- 29. Despite confirming Ms. Wandell's address with the representative from the Office of Disciplinary Counsel during the September 16, 2015 telephone call, Respondent never sent a refund of any amount to Ms. Wandell.
- 30. On February 22, 2016, Respondent was sent another notice by the Prothonotary of Fayette County that Ms. Wandell's divorce case would be dismissed unless he filed a timely Statement of Intention to Proceed.

- 31. On April 22, 2016, Respondent filed the Statement of Intention to Proceed and Ms. Wandell's case remains viable.
- 32. Respondent has taken no other action of record on behalf of Ms. Wandell in her divorce case.
- 33. Respondent did not earn the fee he was paid, and has failed to refund any portion to Ms. Wandell.
- 34. By his conduct as alleged in Paragraphs 5 through 33 above, Respondent violated the following Rules of Professional Conduct and Rule of Disciplinary Enforcement:
 - (a) Rule of Professional Conduct 1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.
 - (b) Rule of Professional Conduct 1.4(a)(3) A lawyer shall keep the client reasonably informed about the status of the matter.
 - (c) Rule of Professional Conduct 1.4(a)(4) A lawyer shall promptly comply with reasonable requests for information.
 - (d) Rule of Professional Conduct 1.15(b) A lawyer shall hold all Rule 1.15 Funds and property separate from

the lawyer's own property. Such property shall be identified and appropriately safequarded.

- (e) Rule of Professional Conduct 1.15(i) A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a different manner.
- (f) Rule of Professional Conduct 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 or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.
- (g) Rule of Professional Conduct 8.1(b) An applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not fail to disclose a fact

necessary to correct a misapprehension known by the person to have arisen in the matter, or knowingly fail to respond to a lawful demand for information from an admissions or disciplinary authority

- (h) Rule of Professional Conduct 8.4(c) It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
- (i) Rule 203(b)(7), Pa.R.D.E. Failure by a respondent-attorney without good cause to respond to Disciplinary Counsel's request or supplemental request under Disciplinary Board Rules, § 87.7(b) for a statement of the respondent-attorney's position, shall be grounds for discipline.

CHARGE II: THE HARRIS MATTER

- 35. On May 20, 2013, Devon Harris (hereinafter, Mr. Harris), a previous client, retained Respondent to file a civil complaint and a quiet title action regarding residential real property located at 30-32 Wilson Avenue, Uniontown, PA.
- 36. Respondent told Mr. Harris that he required \$2,000 to handle the civil complaint and action to quiet title.

- 37. Mr. Harris then paid Respondent the requested \$2,000 in cash representing the full payment.
- 38. Upon receipt of the \$2,000, Respondent provided Mr. Harris with a receipt numbered 201682 dated May 20, 2013 for \$2,000. The receipt was annotated "Quiet Title."
- 39. The \$2,000 cash was not deposited into Respondent's IOLTA Account he maintained at First Niagara Bank, at Account No. 983537203.
- 40. There were no other written arrangements concerning those funds.
- 41. After paying Respondent the \$2,000 cash for the Quiet Title action, Mr. Harris began to contact Respondent on numerous occasions about the status of that case.
- 42. Respondent did not return Mr. Harris' calls, text messages or otherwise communicate with him.
- 43. Respondent did not file any action on behalf of Mr. Harris.
- 44. On one occasion, in the Fall of 2013, Mr. Harris unexpectedly visited Respondent's law office and inquired about the status of his legal matter.

- 45. At that time, Respondent told Mr. Harris to allow Respondent about a week to work on that matter because one of the clerks at the courthouse had passed away causing significant delays in Respondent's efforts to complete the work.
- 46. A DB-7 Request for Statement of Respondent's Position dated February 3, 2015 was sent to Respondent regarding his handling of Mr. Harris' case, which he received and signed a green postal return receipt card for dated February 5, 2015.
- 47. By letter dated June 16, 2015, Respondent was requested to provide, pursuant to Rule 221(g)(1), Pa.R.D.E., financial documentation, bank records, statements, and disposition of the funds received from Mr. Harris.
- 48. By correspondence to Disciplinary Counsel dated June 26, 2015, Respondent provided the records he had available, including bank statements, addressed the disposition of the \$2,000 received from Mr. Harris, and responded to the DB-7 letter of inquiry.
- 49. According to Respondent the \$2,000 was "redistributed as needed in my practice."
- 50. Respondent further acknowledged and confirmed that he did not do any work on behalf of Mr. Harris on the Wilson Avenue property for which he had been retained.

- 51. During a telephone conversation on August 20, 2015, the Respondent admitted to Disciplinary Counsel that the \$2,000 should be returned to Mr. Harris.
- 52. After Mr. Harris filed a claim against Respondent with the Pennsylvania Lawyers Fund for Client Security, on September 22, 2016, the Fund recommended that an award of \$2,000 be made to Mr. Harris.
- 53. Respondent misappropriated the sum of \$2,000 he received from Mr. Harris.
- 54. By his conduct as alleged in Paragraphs 35 through 53 above, Respondent violated the following Rules of Professional Conduct and Rule of Disciplinary Enforcement:
 - (a) Rule of Professional Conduct 1.3 A lawyer shall act with reasonable diligence and promptness in representing a client.
 - (b) Rule of Professional Conduct 1.4(a)(3) A lawyer shall keep the client reasonably informed about the status of the matter.
 - (c) Rule of Professional Conduct 1.4(a)(4) A lawyer shall promptly comply with reasonable requests for information.

- (d) Rule of Professional Conduct 1.15(b) A lawyer shall hold all Rule 1.15 Funds and property separate from the lawyer's own property. Such property shall be identified and appropriately safeguarded.
- (e) Rule of Professional Conduct 1.15(i) A lawyer shall deposit into a Trust Account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred, unless the client gives informed consent, confirmed in writing, to the handling of fees and expenses in a different manner.
- (f) Rule of Professional Conduct 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 or expense that has not been earned or incurred. The lawyer may retain papers relating to the client to the extent permitted by other law.

(g) Rule of Professional Conduct 8.4(c) - It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

WHEREFORE, Petitioner prays that your Honorable Board appoint, pursuant to Rule 205, Pa.R.D.E., a Hearing Committee to hear testimony and receive evidence in support of the foregoing charge(s) and upon completion of said hearing to make such findings of fact, conclusions of law, and recommendations for disciplinary action as it may deem appropriate.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

David M. Lame

Disciplinary Counsel

Attorney Registration No. 49531 The Disciplinary Board of the Supreme Court of Pennsylvania Suite 1300, Frick Building

437 Grant Street

Pittsburgh, PA 15219

Telephone: (412) 565-3173

OFFICE OF DISCIPLINARY COUNSEL, :

Petitioner: No. 13 DB 2017

:

JASON R. TAYLOR,

v.

: Attorney Registration No. 93330

Respondent : (Fayette County)

VERIFICATION

The statements contained in the foregoing Petition for Discipline are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. §4904, relating to unsworn falsification to authorities.

JAN 25 2017

Date

David M. Lame

Disciplinary Counsel

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 2358 Disciplinary Docket No. 3

Petitioner

: No. 2 DB 2017

: Attorney Registration No. 93330

JASON R. TAYLOR.

(Fayette County)

Respondent

ORDER

PER CURIAM

AND NOW, this 16th day of March, 2017, upon consideration of the Recommendation of the Disciplinary Board, Jason R. Taylor is placed on temporary suspension until further action by this Court. See Pa.R.D.E. 208(f)(5). He shall comply with the provisions of Pa.R.D.E. 217.

Respondent's rights to petition for dissolution or amendment of this Order and to request accelerated disposition of charges underlying this order are specifically preserved. See Pa.R.D.E. 208(f)(4) and (f)(6).

The Order constitutes an imposition of public discipline within the meaning of Pa.R.D.E. 402, pertaining to confidentiality.

A True Copy Patricia Nicola As Of 3/16/2017



Julia Frankston-Morris, Esq. Secretary of the Board

Facsimile (717) 231-3382 www.padboard.org





SUPREME COURT OF PENNSYLVANIA

(717) 231-3380

Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 5600 February 16, 2017
PO Box 62625
Harrisburg, PA 17106-2625

Members of the Board

Jane G. Penny Board Chair David E. Schwager Board Vice-Chair

- * Douglas W. Leonard Tracey McCants Lewis Brian John Cali Lawrence M. Kelly
- * Stefanie B. Porges, M.D. P. Brennen Hart Andrew J. Trevelise David A. Fitzsimons John F. Cordisco James C. Haggerty John P. Goodrich
- * Non-Lawyer Members

REQUEST FOR SUPREME COURT ACTION

Prothonotary
Supreme Court of Pennsylvania
Western District Office
801 City-County Building
Pittsburgh, PA 15219

Attention: John A. Vaskov, Esq., Deputy Prothonotary

Re: Office of Disciplinary Counsel

v. JASON R. TAYLOR

No. 2 DB 2017

Attorney Registration No. 93330

(Fayette County)

Enclosed please find the original Recommendation of The Disciplinary Board that the Respondent, Jason R. Taylor, be placed on temporary suspension. A proposed Order is also enclosed. **An electronic copy of this filing is also being sent.**

Mr. Taylor's current mailing address is: 84 E. Main Street, Ste. 2, Uniontown, PA 15401-3560. Respondent is not represented by counsel in this proceeding.

Respectfully.

Marcee D. Sloan

Asst. Secretary of the Board

laru Dswa

/mds Enclosures

cc: Jason R. Taylor, Respondent (w/encl.)

David M. Lame, Disciplinary Counsel (w/encl.)
Paul J. Killion, Chief Disciplinary Counsel (w/encl.)

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. Disciplinary Docket No. 3

Petitioner

: No. 2 DB 2017

٧.

: Attorney Registration No. 93330

JASON R. TAYLOR,

Respondent

: (Fayette County)

ORDER

PER CURIAM

AND NOW, this	day of	, 2017, up	on consideration o	f the
Recommendation of the Disci	plinary Board dated	l February 16, 20	117, it is hereby	

ORDERED that Jason R. Taylor is placed on temporary suspension pursuant to Rule 208(f)(5), Pa.R.D.E., until further definitive action by this Court. It is further ORDERED that respondent shall comply with the provisions of Rule 217, Pa.R.D.E.

This Order constitutes an imposition of public discipline within the meaning of Rule 402, Pa.R.D.E., pertaining to confidentiality.

OFFICE OF DISCIPLINARY COUNSEL

No. 2 DB 2017

Petitioner

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Attorney Registration No. 93330

JASON R. TAYLOR

Respondent

(Fayette County)

RECOMMENDATION OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

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

On January 6, 2017, Petitioner, Office of Disciplinary Counsel, filed with the Disciplinary Board of the Supreme Court of Pennsylvania a Petition for Issuance of a Rule to Show Cause Why Respondent Should not be Suspended Pursuant to Pa.R.D.E. 208(f)(5). (Exhibit 1.)

On January 9, 2017, the Disciplinary Board issued an Order and Rule to Show Cause why Respondent, Jason R. Taylor, should not be placed on temporary suspension, pursuant to Rule 208(f)(5), Pa.R.D.E. (Exhibit 2.)

The Rule to Show Cause was personally served on Respondent on January 18, 2017, and was returnable within ten (10) days after service. (Exhibit 4.)

On February 16, 2017, Petitioner filed a Petition to Make Rule Absolute.

(Appendix "A.")

In accordance with Rule 208(f)(5), Pa.R.D.E., the Disciplinary Board finds that Respondent has refused to comply with a valid Subpoena Duces Tecum or respond in any manner to requests for production of the records and information required to be maintained by Rule 221(f)(1). In addition, Respondent has materially delayed or obstructed his disciplinary proceeding. Pursuant to Rule 208(e), therefore, the Board recommends that your Honorable Court consider entering an Order placing Respondent, Jason R. Taylor, on temporary suspension.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

ane G. Pénny, Board Cháir

Date: February 16, 2017

OFFICE OF DISCIPLINARY COUNSEL, :

: No. 2 DB 2017

Petitioner:

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION TO MAKE RULE ABSOLUTE AND TEMPORARILY SUSPEND RESPONDENT PURSUANT TO RULE 208(f)(5), Pa.R.D.E. FOR FAILURE TO COMPLY WITH SUBPOENA

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION CHIEF DISCIPLINARY COUNSEL

David M. Lame
Disciplinary Counsel
Suite 1300, Frick Building
437 Grant Street
Pittsburgh, PA 15219
(412) 565-3173

I hereby certify that I have this day served by first class mail the within document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code Section 89.22.

FEB 16 2017 Counsel for Petitioner **FILED**

2/16/2017

The Disciplinary Board of the Supreme Court of Pennsylvania

OFFICE OF DISCIPLINARY COUNSEL, :

: No. 2 DB 2017

Petitioner:

CCICIONC

v.

:

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION TO MAKE RULE ABSOLUTE AND TEMPORARILY SUSPEND RESPONDENT PURSUANT TO RULE 208(f)(5), Pa.R.D.E. FOR FAILURE TO COMPLY WITH SUBPOENA

Petitioner, Office of Disciplinary Counsel, by and through Paul J. Killion, Chief Disciplinary Counsel, and by David M. Lame, Disciplinary Counsel, respectfully petitions the Disciplinary Board to recommend to the Honorable Supreme Court of Pennsylvania that Respondent, Jason R. Taylor, be immediately placed on temporary suspension pursuant to Rule of Disciplinary Enforcement (hereinafter, Pa.R.D.E.) 208(f)(5), and in support thereof states:

1. On January 6, 2017, Petitioner filed a Petition for Issuance of a Rule to Show Cause Why Respondent Should Not Be Suspended Pursuant to Rule 208(f)(5), Pa.R.D.E. for Failure to Comply With Subpoena (hereinafter, the Petition), based upon

Respondent's failure to comply with a Subpoena Duces Tecum dated November 16, 2016. (Exhibit 1)

- 2. A DB-7 Request for Statement of Respondent's Position dated November 16, 2016 was sent to Respondent the same day.
- 3. The Disciplinary Board, upon consideration of the Petition, by and through Board Chair Jane G. Penny, Esquire, issued an Order and Rule to Show Cause dated January 9, 2017, directing Respondent to show cause, within ten (10) days after service of the Order and Rule to Show Cause, why he should not be temporarily suspended for failure to comply with the Subpoena Duces Tecum. (Exhibit 2)
- 4. By letter dated January 12, 2017 from Disciplinary Counsel, Respondent was sent a copy of the Order and Rule to Show Cause by regular United States mail, postage pre-paid, addressed to Respondent's last known attorney registration address. (A copy of the January 12, 2017 cover letter is attached as Exhibit 3.)
- 5. Copies of the Petition, the January 9, 2017 Order and Rule to Show Cause, were personally served upon Respondent by Pennsylvania Constable Philip Michael on January 18, 2017. (A

copy of each Affidavit of Service from Pennsylvania State constable Philip Michael is attached hereto as Exhibit 4.)

- 6. The return date was January 28, 2017 but as that date was a Saturday, the next business day was Monday, January 30, 2017.
- 7. Respondent failed to respond to the Rule to Show Cause, or to contact Office of Disciplinary Counsel in any way.
- 8. Only Respondent can provide the requested financial information and he has continued to refuse and/or ignore demands to do so.
- 9. Although as of February 16, 2017, Respondent has not complied with either the November 16, 2016 Subpoena Duces Tecum or the January 9, 2017 Order of the Disciplinary Board directing him to show cause, by letter dated January 30, 2017 Respondent submitted his response to the November 16, 2016 DB-7 Request for Statement of Respondent's Position he was personally served with on November 19, 2016.
- 10. Respondent's January 30, 2017 response to the DB-7 contained no supporting documentation and made only unsubstantiated denials, and then contradictory admissions, to various averments in the November 16, 2016 DB-7.

11. Respondent's continued failure to comply with both the Subpoena Duces Tecum and the Disciplinary Board's Order and Rule to Show Cause displays his continuing disregard for the disciplinary system in this Commonwealth.

WHEREFORE, Petitioner prays that your Honorable Board recommend to the Supreme Court that the Rule be made absolute and that Respondent be immediately placed on temporary suspension.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

David M. Lame

Disciplinary Counsel

OFFICE OF DISCIPLINARY COUNSEL, :

: No. 2 DB 2017

Petitioner:

v.

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

VERIFICATION

The statements contained in the foregoing Petition to Make Rule Absolute and Temporarily Suspend Respondent Pursuant to Rule 208(f)(5), Pa.R.D.E. for Failure to Comply With Subpoena are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. \$4904, relating to unsworn falsification to authorities.

FEB 16 2017
Date

Disciplinary Counsel

OFFICE OF DISCIPLINARY COUNSEL, :

: No. DB

Petitioner:

: File No. C4-16-542

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JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION FOR ISSUANCE OF A RULE TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE SUSPENDED FOR FAILURE TO COMPLY WITH A SUBPOENA PURSUANT TO Pa.R.D.E. 208(f)(5)

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION CHIEF DISCIPLINARY COUNSEL

David M. Lame, Esquire Disciplinary Counsel Suite 1300, Frick Building 437 Grant Street Pittsburgh, PA 15219 (412) 565-3173

I hereby certify that I have this day served by first class mail the within document upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code Section 89.22.

Counsel for Petitioner

FILED

1/6/2017

The Disciplinary Board of the Supreme Court of Pennsylvania

EXHIBIT 1

OFFICE OF DISCIPLINARY COUNSEL, :

: No. DB

Petitioner:

: File No. C4-16-542

v.

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

PETITION FOR ISSUANCE OF A RULE TO SHOW CAUSE WHY RESPONDENT SHOULD NOT BE SUSPENDED FOR FAILURE TO COMPLY WITH A SUBPOENA PURSUANT TO Pa.R.D.E. 208(f)(5)

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and David M. Lame, Disciplinary Counsel, respectfully petitions the Disciplinary Board to issue a Rule to Show Cause why Respondent should not be placed on temporary suspension pursuant to Pennsylvania Rule of Disciplinary Enforcement (hereinafter, "Pa.R.D.E.") 208(f)(5), and in support thereof states:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, PA 17106-2485, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereafter "Pa.R.D.E."), with the power and the duty to investigate

all matters involving alleged misconduct of an attorney admitted to the practice of law in the Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of the aforesaid Rules.

- 2. The subject of this Petition, (hereinafter referred to as "Respondent"), was admitted to the practice of law in the Commonwealth of Pennsylvania on October 18, 2004.
- 3. Respondent's attorney registration address is Taylor Law Office, 84 E. Main Street, Ste. 2, Uniontown, (Fayette County), Pennsylvania 15401.
- 4. Petitioner is conducting an investigation of Respondent's conduct pursuant to a complaint (file reference number C4-16-542) received by Petitioner on July 6, 2016, from Darla M. Riggin (hereafter, Complainant), who retained Respondent in November 2012 to represent her in a divorce action against her husband, Robert J. Riggin, and Respondent's potential mishandling of entrusted funds.
- 5. Pursuant to Pa.R.D.E. 207(b)(2), Respondent was placed on notice of allegations of possible violations of the Rules of Professional Conduct by Letter of Inquiry (Form DB-7) dated November 16, 2016, file reference number C4-16-542. (A copy of the Letter of Inquiry is attached as Exhibit 1.)

- 6. The Letter of Inquiry informed Respondent that failure to respond within the time frame provided without good cause is an independent ground for discipline pursuant to Pa.R.D.E. 203(b)(7). (See Exhibit 1)
- 7. The November 16, 2016, Letter of Inquiry was personally served on Respondent on November 19, 2016, at 9:30 a.m. at Respondent's office address of 84 E. Main Street, Uniontown, PA 15401 by Pennsylvania Constable Phillip Michael. (A copy of his Affidavit of Service is attached hereto as Exhibit 2.)
- 8. Respondent did not provide an Answer to the November 16, 2016 letter of inquiry, nor has he given good cause for his failure to answer. Respondent never requested an extension of time in order to provide an Answer.
- 9. On November 16, 2016, pursuant to Rule 213(a)(2), Pa.R.D.E., Petitioner requested, and the Prothonotary of the Supreme Court of Pennsylvania issued, three Subpoenas Duces Tecum, as follows:
 - (a) To First National Bank, requesting records evidencing Respondent's disposition of Complainant's check, made payable to Respondent, dated November 6, 2012, in the amount of \$1,500. (A copy is attached as Exhibit 3.);

- (b) To Key Bank, formerly First Niagara Bank, for Respondent's IOLTA Account for the time period August 1, 2012 through and including January 31, 2013, and May 1, 2015 through and including November 30, 2016. (A copy of the Subpoena Duces Tecum is attached as Exhibit 4.); and,
- (c) To Respondent directing him to provide to Petitioner copies of any and all documents and information evidencing his disposition of the \$1,500 Respondent was entrusted with on behalf of Complainant. (A copy of the Subpoena Duces Tecum is attached as Exhibit 5.);
- 10. The Subpoena Duces Tecum to Respondent also directed Respondent to provide any and all supporting credit and debit memoranda for the account(s) into which Respondent deposited the \$1,500, including but not limited to client escrow ledgers and monthly reconciliations of any and all fiduciary account(s).
- 11. The Subpoena Duces Tecum issued to Respondent further directed Respondent to provide copies of documentation (including but not limited to correspondence) that he created or came into his possession regarding his representation of Complainant.
- 12. The Subpoena Duces Tecum issued to Respondent was returnable on December 1, 2016.

- 13. On November 19, 2016, Respondent was personally served by Constable Phillip Michael with the Subpoena Duces Tecum and Attachment, an informational letter from Disciplinary Counsel and Praecipe which were all dated November 16, 2016. (A copy of his Affidavit of Service is attached as Exhibit 6.)
- 14. Respondent did not file a challenge to the validity of any of the Subpoenas Duces Tecum.
- 15. First National Bank and Key Bank complied with the Subpoenas Duces Tecum, and provided Petitioner with bank records, documentation and/or information relative to Respondent's IOLTA Account number 983537203 and the disposition of the \$1,500 check Respondent received from Complainant.
- 16. Despite receiving the information from First National Bank and the bank records from Key Bank pursuant to the Subpoenas Duces Tecum, only Respondent can provide full and complete documentation of his client escrow account ledgers, a full and complete accounting of any funds entrusted to him on behalf of his client, disbursements made from the account, as set forth and requested in the attachment to the Subpoenas Duces Tecum, as well as copies of other requested documentation.

17. Respondent has not responded to, nor has he communicated with Disciplinary Counsel in any manner since being personally served on November 16, 2016, with the letter of inquiry and the November 16, 2016 Subpoena Duces Tecum and attachment.

Respondent's refusal to comply with the Subpoena Duces materially obstructs Petitioner's Tecum delays and the investigation in the pending matters.

WHEREFORE, Petitioner prays your Honorable Board to issue a Rule upon Respondent to show cause, if he has any, returnable within ten (10) days following service of the Rule, as to why Respondent should not be temporarily suspended.

> Respectfully submitted, OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION CHIEF DISCIPLINARY COUNSEL

David M. Lame

Disciplinary Counsel

OFFICE OF DISCIPLINARY COUNSEL, :

: No. DB

Petitioner:

: File No. C4-16-542

٧.

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

VERIFICATION

The statements contained in the foregoing Petition for Issuance of a Rule to Show Cause Why Respondent Should Not Be Suspended for Failure to Comply With a Subpoena Pursuant to Pa.R.D.E. 208(f)(5) are true and correct to the best of my knowledge or information and belief and are made subject to the penalties of 18 Pa.C.S. \$4904, relating to unsworn falsification to authorities.

Disciplinary Counsel

OFFICE OF DISCIPLINARY COUNSEL, :

: No. DB

Petitioner :

: File No. C4-16-542

v.

•

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served by first class mail the foregoing Petition for Issuance of a Rule to Show Cause Why Respondent Should Not Be Suspended for Failure to Comply with a Subpoena Pursuant to Pa.R.D.E. 208(f)(5) upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code \$89.22 (relating to service by a participant).

By First Class Mail:

Jason R. Taylor, Esquire Taylor Law Office 84 E. Main Street, Ste. 2 Uniontown, PA 15401

(Respondent)

January 6, 2017

David M. Lame, Reg. No. 49531

Disciplinary Counsel

Suite 1300, Frick Building

437 Grant Street

Pittsburgh, PA 15219

(412) 565-3173



Paul J. Killon Chief Disciplinary Counsel

Paul J. Burgoyne Deputy Chief Disciplinary Counsel

District IV Office Frick Building, Suite 1300 437 Grant Street Pitteburgh, PA 18219 (412) 886-3178 Fax (412) 886-7620



SUPREME COURT OF PENNSYLVANIA



OFFICE OF DISCIPLINARY COUNSEL www.pediciplinaryboard.org

November 16, 2016

PERSONAL AND CONFIDENTIAL

Jason R. Taylor, Esquire Taylor Law Office 84 E. Main St., Ste. 2 Uniontown, PA 15401

Re: Complaint of Darla M. Riggin

File No. C4-16-542

DB-7 REQUEST FOR STATEMENT OF RESPONDENT'S POSITION

Dear Mr. Taylor:

Please be advised that this office has received and is currently considering a complaint against you from Darla M. Riggin, 318 Easter Street, Uniontown, PA 15401. It is important for you to understand that issuance of this letter means that the complaint against you has survived this office's initial screening process and that, based upon the information currently available to us, it appears that your alleged conduct may have violated the Pennsylvania Rules of Professional Conduct.

It is also important for you to understand that it is the obligation of our office to develop all information relevant to a complaint, including that information, which may justify or exonerate the alleged actions of the respondent-attorney or mitigate the seriousness of any violations that may have occurred. Since this complaint has survived our initial screening process, you should retain or consult with counsel before submitting a statement of your position.

The alleged facts presently under consideration are as follows:

Disciplinary Counsel-in-Charge Angeles Allen Mitas

Disciplinary Counse Mark G. Wellzman Samuel F. Nepoli Cory John Chrell David M. Lame Susan N. Dobbins Jana M. Palko William R. Friedman

- 1. On November 6, 2012, Darla Riggin retained you to represent her in a divorce action against her husband Robert J. Riggin.
- 2. You did not regularly represent Ms. Riggin in other legal matters and you did not communicate with her in writing the basis or rate of your fee either before or within a reasonable amount of time after you commenced the representation.
- 3. You stated to Ms. Riggin that due to the fact that she was asking for the house and half of her husband's retirement, this would cause you to have to go to court, therefore, your fee in this matter would be \$1,500.
- 4. By Check Number 500, drawn on First National Bank Account No. 701139438, dated November 6, 2012, made payable to you in the amount of \$1,500, annotated "Lawyer," you received the requested \$1,500 for your representation of Ms. Riggin. (Exhibit A)
- 5. On or about November 9, 2012, you negotiated the above-referenced check and your disposition of those funds is unknown.
- 6. Absent a written agreement to the contrary, the \$1,500 you received from Ms. Riggin were entrusted funds on behalf of Ms. Riggin, and these funds were to be deposited into your IOLTA Account and maintained until earned.
- 7. For the years 2012 through and including to 2015, you identified on your PA Attorney Annual Fee Forms that you maintained an IOLTA Account at First Niagara Bank at Account Number 983537203.
- 8. On November 14, 2012, you filed on behalf of Ms. Riggin, a Complaint in Divorce in the Court of Common Pleas of Fayette County at docket number of 2475 of 2012 G.D.
- 9. Thereafter, you did no further work of record in Ms. Riggin's divorce case.
- 10. By letter dated November 14, 2012, you sent to Mr. Riggin at his address of Quality Inn Pavilion, 716 21st Street, Virginia Beach, VA, notification that you had been retained to represent Ms. Riggin in the divorce action and requested that either he or his counsel contact you.
- 11. By letter to Ms. Riggin dated December 3, 2012, you notified her of a hearing at the Domestic Relations Office on

Jason R. Taylor, Esquire November 16, 2016

December 10, 2012, in regard to her support case against Mr. Riggin.

- 12. Thereafter, neither Mr. Riggin nor his attorney contacted you, nor did he execute any papers regarding custody and/or the divorce matter that you had sent to him.
- 13. You appeared on behalf of Ms. Riggin at the Domestic Relations hearing which was held on December 10, 2012.
- 14. By April 30, 2013, the balance in your First Niagara TOLTA Account No. 983537203 was \$3.51 and you had not earned and/or disbursed to or on behalf of Ms. Riggin the \$1,500 you were entrusted with on her behalf.
- 15. From November 2012 to March 2014, Ms. Riggin was able to communicate with you at various times and you advised her to continue to receive spousal support and child support until things changed, or words to that effect.
- 16. Throughout the representation Ms. Riggin stated to you on numerous occasions that she wanted the divorce to be done within a reasonable time frame and that she was concerned about her husband's 401K retirement and obtaining her share of those proceeds.
- 17. During your representation of Ms. Riggin you took no steps to notify Mr. Riggin's previous employer that Mr. Riggin's 401K was to be maintained as those funds were part of a divorce action and specifically a claim of equitable distribution.
- 18. In or about July 2014, the child and spousal support stopped, as Ms. Riggin's husband was fired from his job in Virginia and he moved back to Pennsylvania.
- 19. Ms. Riggin telephoned you and communicated to you that her husband lost his job and returned to Pennsylvania and as such she asked you to get a hearing in front of a Judge to settle everything and get the divorce finalized.
- 20. At that time in response to Ms. Riggin's telephone call, you stated that you could not send out the divorce papers to her husband because you did not have an address for him.
- 21. Starting in or about February 2015, as Ms. Riggin's husband was now residing in Pennsylvania and he started working again, Ms.

Riggin attempted to contact you on numerous occasions in order to have you serve him with the necessary paperwork to get the divorce finalized.

- 22. Shortly thereafter, you did file for a modification in child support as Mr. Riggin had started working again.
- 23. At the time of the modification hearing Ms. Riggin appeared at the Domestic Relations hearing without your representation as she had told you that she did not want you to appear and have to pay your fees for your representation of her in the support matter.
- 24. From at least February 2015 to the present date, Ms. Riggin has telephoned you on numerous occasions leaving voice mail messages for you when your voice mail was not full, requesting that you to return her call as she wanted to finalize the divorce.
- 25. Despite her efforts to communicate with you, you have not communicated with Ms. Riggin, as you failed to return any of her calls, or otherwise respond to her.
- 26. On several occasions, Ms. Riggin also stopped by your office, left messages with Mr. Tiberi, who had answered the door, requesting that you telephone her.
- 27. By facsimile to you dated March 24, 2015, Ms. Riggins reminded you to contact her husband's company to let them know that he could not take any of the money out of his 401K due to the pending divorce proceedings.
- 28. Because you failed to contact Mr. Riggin's husband's place of employment about his 401K. Mr. Riggin was able to withdraw the 401K funds and eventually deplete those funds without Ms. Riggin receiving any portion of the funds.
- 29. On or about February 9, 2016, a Notice of Proposed Termination of Court Case was filed at number 2475 of 2012 in Fayette County Court of Common Pleas, which stated that pursuant to Rule 1901 of the Rules of Judicial Administration the Court intended to terminate this case (Riggin divorce) without further notice because the docket showed no activity in the case for at least two years.
- 30. On or about April 22, 2016, you filed a Statement of Intention to Proceed on behalf of Ms. Riggin in Fayette County Court of Common Pleas divorce matter filed at 2475 of 2012 G.D.

 $(\tilde{\ })$

- 31. By certified letter dated May 30, 2016, Ms. Riggin wrote to you that:
 - (a) She appreciated all your help with her son's issues however it has been four years and the divorce has not yet been finalized;
 - (b) She has attempted to get in touch with you on numerous occasions and you have failed to return her phone calls in regard to the divorce;
 - (c) She was requesting an itemized bill as she did not believe that you had earned the \$1,500 that she had paid you as a retainer for the divorce matter; and,
 - (d) If you did not wish to continue to represent her in the divorce matter that you refund all of the monies so that she is able to retain other counsel and gave you two weeks in order to do so.
- 32. On or about June 10, 2016, this certified mail was received by you.
 - 33. Thereafter, you did not:
 - (a) Provide Ms. Riggin with an update on the status of her divorce matter; and,
 - (b) Provide her with an itemized bill for the \$1,500 that she paid to you for the divorce matter.
 - 34. By letter to you dated September 19, 2016, Ms. Riggin:
 - (a) Terminated your services as attorney for her in regard to the divorce matter;
 - (b) Stated in her letter that you have represented her for four years and she has seen little to no progress;
 - (c) Stated that she has attempted on numerous occasions to contact you but has been unsuccessful;
 - (d) Requested a refund of \$1,288 of the \$1,500 she paid you for the divorce matter; and,
 - (e) Requested that you return her legal file to her.

- 35. As of September 30, 2016 you:
- (a) Have failed to move forward the divorce action on behalf of Ms. Riggin;
- (b) Have failed to account for the \$1,500 of fees you were entrusted;
- (c) Have failed to communicate with Ms. Riggin and advise her as to the status of her divorce action;
- (d) Have failed to return Ms. Riggin's documents and papers to her as she requested; and,
- (e) Have failed to return to Ms. Riggin the remainder of the \$1,500 she initially paid to you.

If the above allegations are true, we are concerned that you may have violated the following Rules of Professional Conduct:

The Office of Disciplinary Counsel will make no recommendation for the disposition of this complaint until you have been afforded an opportunity to state your position with respect thereto within thirty (30) days of the date of this letter. Please note that failure to respond to this request for your statement of position without good cause is an independent ground for disciplina pursuant to Rule 203(b)(7) of the Pennsylvania Rules of Disciplinary Enforcement. The Office of Disciplinary Counsel will only agree to a limited extension of the thirty (30) day deadline when the request is made for specific reasons constituting good cause. If you do not respond or provide good cause for failing to respond within thirty (30) days, the Office of Disciplinary Counsel may seek to impose discipline for your violation of Pa.R.D.E. 203(b)(7).

Please be assured that we are not prejudging the alleged facts and charges nor are we an advocate on behalf of the complainant. Rather, we are conducting an impartial and unbiased investigation with regard to this complaint. In that regard, we will attempt to verify the statements in your answer just as we do with the statements made to us by the complainant. For this reason, and because a lawyer can be subject to discipline for making a

Jason R. Taylor, Esquire November 16, 2016

materially false statement or deliberately failing to disclose a material fact in connection with a disciplinary matter, you should be careful to be accurate in your factual statements. Additionally, as previously stated, you may wish to consult with counsel before replying to the allegations.

In any reply which you make, please chronologically and specifically state your account of the events and include copies of any particularly pertinent documents to which you refer. Generally, it is most helpful if your response deals item-by-item with the allegations contained in the numbered paragraphs in this letter, as well as with the cited Rules.

Please be advised that \$85.13 of the Disciplinary Board Rules requires that any response to this letter:

. . . that contains an averment of fact not appearing of record or a denial of fact shall include or be accompanied by a verified statement signed by the respondent-attorney that the averment or denial is true based upon knowledge or information and belief. The respondent-attorney need not aver the source of the information or expectation of ability to prove the averment or denial. The verified statement may be based upon personal knowledge as to a part and upon information and belief as to the remainder.

If we do not hear from you within thirty (30) days, we will assume that you do not desire to submit your position with respect to this complaint and can proceed to make our recommendation for an appropriate disposition on the basis of the information and material contained in our file, including your failure to respond in violation of Rule 203(b)(7), Pa.R.D.E. However, we would certainly prefer to have the benefit of your position before making our recommendation.

Keep in mind that we may provide the complainant with a copy of your statement of position or a summary of it for the express purpose of obtaining a replication, unless you request that the content of your answer, either in total or in part, not be revealed and state reasons therefore which represent good cause. If we do provide the complainant with a copy or summary of your position, we will remind the complainant of the confidentiality of our inquiry.

Page 8

If you have any questions, you or your counsel should not hesitate to contact this office. Thank you for your anticipated cooperation and assistance in this important matter. We look forward to receiving your response.

Very truly yours,

OFFICE OF DISCIPLINARY COUNSEL

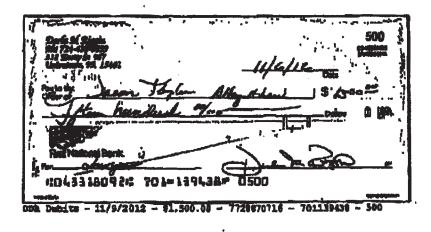
David M. Lame

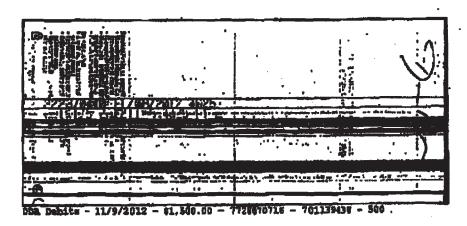
Disciplinary Counsel

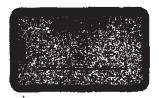
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OFFICE OF DISCIPLINARY COUNSEL,:

Petitioner

: No. C4-16-542

v.

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent

: (Fayette County)

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF FAYETTE

I, Phillip Michael, being duly sworn according to law, depose and say that on (1.9.11), at 9.30 pm I did duly serve (date)

upon Jason R. Taylor, Esquire, the Respondent, a DB-7 Letter of Allegations dated November 16, 2016, requesting a response within thirty days by handing the same to Jason R. Taylor at 199

East Main St Union for 1840 (address)

Phillip Michael

Sworn to and subscribed

before me this 18

day of

2016.

MICHAEL MICHETUDE 141511 MAGISTERIAL DISTRICT JUDGE Fayette County, Pennsylvania My Cosen. Exp. First Mon. Jun. 2022



Form No. DB-15A (rev. 1/2000) Subpoena Duces Tacum

The Commonwealth of Pennsylvania

Supreme Court of Pennsylvania

OFFICE OF DISCIPLINARY COUNSEL OF THE DISCIPLINARY BOARD OF THE SUPPEME COURT OF PENNSYLVANIA

Complaint File No(s). C 4 - 16 - 542 In Re: Confidential Investigation SUBPOENA DUCES TECUM Pa.R.D.E, 213(a) (2) TO: First National Bank ecore Customethoms of Winese) One FRB Bouleverd, let Floor Hermitage, PA 16148 Attention: Melania Malcar, Lagal Department (or other authorized representative) GREETING: WE COMMAND YOU, setting aside all manner of business and excuses whatsoever, to appear in your proper person at the District _______Office of Disciplinary Counsel of the Supreme Court of Pennsylvania at Ste. 1300, Frick Bldg., 437 Grant St., Pittsburgh, PA 15219 Pennsylvania on the <u>lst</u> day of <u>December</u> _*, 20 16 __, at 9:00 _ o'clock _a, _ m., of that day, then and there to produce and identify the records and documents described below, in a certain Investigation pending and undetermined concerning the conduct of a member of the Bar of this Commonwealth. And this you are not to omit, under the penalties provided by law. Records and Documents: See attachment. * Return date to be at least 10 days after date of leasence THIS SUBPOENA IS ISSUED in connection with a confidential investigation under the Pennsylvania Rules of

Disciplinary Enforcement and YOU ARE WARNED NOT TO BREACH THE CONFIDENTIALITY OF THIS INVESTIGATION under penalty of being found in contempt of the Supreme Court, it shall not be regarded as a

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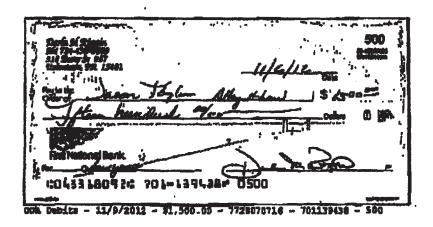
breach of confidentiality for a person subpoensed to consult with an attorney.

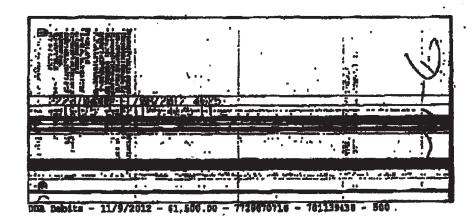
day of November

Witness the Honorable Chief Justice and Justices of the Supreme Court of Pennsylvania, th

ATTACHMENT TO SUBPOENA DUCES TECUM TO FIRST NATIONAL BANK:

- A. Any and all documents and information pertaining to or indicating the disposition of the Check No. 500, dated November 6, 2012, in the amount of \$1,500, drawn on First National Bank Account No. 701139438 (copy is attached), including the account caption, number, and signature cards for the account(s) into which this check was deposited.
- B. If any or a portion of the funds from the above noted check were deposited into an account maintained by Jason R. Taylor, documentation demonstrating the activity of the account(s) for the time period beginning November 1, 2012 through and including the most recent statement to include but not be limited to the following:
 - 1. Any and all document(s) executed in order to establish the account to include but not be limited to the signature cards;
 - 2. All periodic bank statements;
 - 3. All deposit slips, and all other credit memoranda, as well as all supporting memoranda, and/or other documentation which would demonstrate the source(s) of all funds constituting each deposit, including but not limited to, electronic transfers into this account; and,
 - 4. All cancelled checks (front and back), and all other debit memoranda, including but not limited to, documentation supporting any and all electronic debits and/or transfers from this account.





a)

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. .

Form No. DB-15A (rev. 1/2000) Subpoens Duces Tecum

The Commonwealth of Pennsylvania

Supreme Court of Pennsylbania

OFFICE OF DISCIPLINARY COUNSEL OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

Complaint File No(s). C 4 - 16 - 542 In Re: Confidential Investigation

	SUBPOENA DUCE Parde 218(1)		
TO: Key Bank National Assoc	iation		
A900 Tiedenan Koad		<u> </u>	•
Brooklyn, OH 44144			
Subpoena Mail Code OH-O	1-49-3001		·
Attention: Hope Castro,	Subpoens Process	ing	
GREETING: WE COMMAND YOU, s your proper person at the DistrictI at Ste. 1300, Frick Bldg., 4	V Office of Disciplina	ary Counsel of the Supre	
Pennsylvania on the 1st day of	f December	* 20 16 . at 9	2:00 o'clock a. m., of
that day, then and there to produce investigation pending and undetermin And this you are not to omit, under the Records and Documents:	ed concerning the con	duct of a member of the i	
See attachment.			
•	•		,
		***************************************	nest 10 days after date of Insumos.
THIS SUBPOENA IS ISSUED in cor Disciplinary Enforcement and YOI INVESTIGATION under penalty of be breach of confidentiality for a person	U ARE WARNED NOT sing found in contempt	TO BREACH THE COI of the Supreme Court, it	NFIDENTIALITY OF THIS
Witness the Honorable Chief Justice	and Justices of the Su	preme Court of Pennsylv	renia, the 10
day of November	. 20 16		
·	Chil	The de Mess	La alier Alex

ATTACHMENT TO SUBPOENA DUCES TECUM TO KEY BANK NATIONAL ASSOCIATION:

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For the account with Key Bank, formerly First Niagara Bank, number 983537203, captioned "Taylor Law Office Jason R. Taylor Esq. IOLTA," or similarly captioned, documentation demonstrating the activity of the account for the time period beginning August 1, 2012 through and including January 31, 2013, and May 1, 2015 through and including to November 30, 2016 to include but not be limited to the following:

- 1. Any and all document(s) executed in order to establish the account to include but not be limited to the signature cards;
 - 2. All periodic bank statements;
- 3. All deposit slips, and all other credit memoranda, as well as all supporting memoranda, and/or other documentation which would demonstrate the source(s) of all funds constituting each deposit, including but not limited to, electronic transfers into this account; and,
- 4. All cancelled checks (front and back), and all other debit memoranda, including but not limited to, documentation supporting any and all electronic debits and/or transfers from this account.

Form No. DB-15A (rev. 1/2000) Subposes Duces Teoum

The Commonwealth of Pennsylvania

Supreme Court of Plennsylvania

OFFICE OF DISCIPLINARY COUNSEL OF THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA

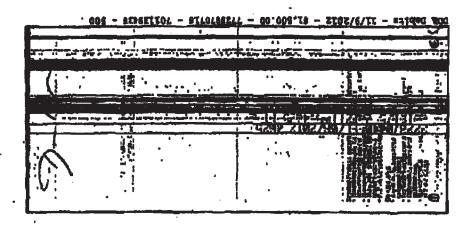
Complaint File No(s). C 4 - 16 . 542 In Re: Confidential Investigation SUBPOENA DUCES TECUM Pa.R.D.E. 218(a) (2) TO: Jason R. Taylor 84 K. Main Street, Ste. 2 Uniontown, PA 15401 GREETING: WE COMMAND YOU, setting ealds all manner of business and excuses whatsoever, to appear in your proper person at the District ___IV __ Office of Disciplinary Counsel of the Supreme Court of Pennsylvania at Ste. 1300. Frick Bldg., 437 Grant St., Pittsburgh, PA 15219 Pennsylvania on the <u>1st</u> day of <u>December</u> *, 20 16 , at 9:00 o'clock a. m., of that day, then and there to produce and identify the records and documents described below, in a certain investigation pending and undetermined concerning the conduct of a member of the Bar of this Commonwealth. And this you are not to omit, under the penalties provided by law. Records and Documents; See attached. * Floture date to be at least 10 days after date of leasures. THIS SUBPOENA IS ISSUED in connection with a confidential investigation under the Pennsylvania Rules of Disciplinary Enforcement and YOU ARE WARNED NOT TO BREACH THE CONFIDENTIALITY OF THIS INVESTIGATION under penalty of being found in contempt of the Supreme Court. It shall not be regarded as a breach of confidentiality for a person subpoensed to consult with an attorney. Witness the Honorable Chief Justice and Justices of the Supreme Court of Pennsylvania, the November

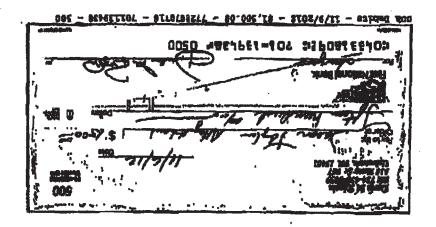
ATTACHMENT TO SUBPOENA DUCES TECUM TO JASON R. TAYLOR

A. Any and all documents and information pertaining to and evidencing your disposition of Check No. 500, drawn on First National Bank Account No. 701139438, dated November 6, 2012, made payable to you, in the amount of \$1,500, annotated "Lawyer," including the account caption, account number, and signature cards for the account(s) into which this check was deposited.

If any or a part of the above-referenced check and/or funds were deposited into account(s) maintained by you, documentation evidencing the activity of the account(s) for the time period beginning November 1, 2012, through and including to the present date, to include, but not be limited to:

- 1. All periodic bank statements;
- 2. All deposit slips, and all other credit memoranda, as well as all supporting memoranda, and/or other documentation which would demonstrate the source(s) of all funds constituting each deposit; and,
- 3. All cancelled checks (front and back), and all other debit memoranda, including, but not limited to, documentation supporting any non-sufficient fund (NSF) items for all disbursements from this account.
- B. For the time period beginning August 1, 2012, through and including to the present date, any documents maintained by you relating to the receipt and maintenance of the \$1,500 retainer, received by you on behalf of Darla Riggin, including but not limited to First Niagara Bank Account No. 983537203, and any additional account(s) including, but not limited to:
 - 1. Client escrow account ledgers which account for all the funds entrusted to you in regard to Darla Riggin and disbursements made therefrom for any and all accounts;
 - 2. Monthly reconciliations on any and all fiduciary account(s); and,
 - 3. Identification of any and all authorized signatories or other person who made transfer from a trust account or any other account(s) in which fiduciary funds are held.
- C. Copies of any and all documents and correspondence which were created or came into your possession by virtue of, or in regard to, you position and function as attorney for Darla Riggin.





1010T 0707 PT 115

OFFICE OF DISCIPLINARY COUNSEL,	
Petitioner	No. C4-16-542
V.	
JASON R. TAYLOR,	Attorney Registration No. 93330
Respondent	(Fayette County)
AFFIDAVIT	OF SERVICE
COMMONWEALTH OF PENNSYLVANIA	
COUNTY OF FAYETTE	
and say that on //- /950/6, (date) upon Jason R. Taylor, Esquire, to Tecum and Praecipe dated November	at 9.30 I did duly serve (time) the Respondent, a Subpoena Duces or 16, 2016, by handing the same to H Mai St Umanta PA
Sworn to and subscribed before me this // 2016 day of , 2016 Michael M. Mark Schiller MAGISTERAL DISTRICT JUDGE Forgette County, Pernsylvania My Comm. Exp. First Mon. Jan. 2022	5.

Respondent	: No. DB		
Petition of Office of Disciplinar upon Respondent to show cause	y of, 2017, upon ry Counsel, a Rule is hereby issued why he should not be placed on e Bar of the Commonwealth of 08(f)(5), Pa.R.D.E.		
The Rule to Show Cause is returnable within ten (10) days from the date of service of notice of this Order. BY THE BOARD:			
	Board Chair		

Julia Frankston-Morris, Esq. Secretary of the Board

> Elaine M. Bixler Secretary Emerita

Facsimile (717) 231-3382 www.padboard.org





SUPREME COURT OF PENNSYLVANIA

Pennsylvania Judicial Center 601 Commonwealth Avenue, Suite 5600 PO Box 62625 Harrisburg, PA 17106-2625 (717) 231-3380

January 9, 2017

Members of the Board Jane G. Penny **Board Chair** David E. Schwager

- Board Vice-Chair Douglas W. Leonard **Tracey McCants Lewis** Brian John Cali Lawrence M. Kelly
- Stefanie B. Porges, M.D. P. Brennan Hart Andrew J. Trevelise David A. Fitzsimons John F. Cordisco James C. Haggerty John P. Goodrich
- * Non-Lawyer Members

Sent by First Class Mail and Certified Mail

Jason R. Taylor **Taylor Law Office** 84 E. Main Street, Ste. 2 Uniontown, PA 15401

RE:

Office of Disciplinary Counsel

v. JASON R. TAYLOR

No. 2 DB 2017 File No. C4-16-542

Attorney Registration No. 93330

(Fayette County)

Dear Mr. Taylor:

Enclosed please find Order and Rule to Show Cause of the Disciplinary Board of the Supreme Court of Pennsylvania dated January 9, 2017 concerning the above-captioned proceeding.

Very truly yours,

Make TSloam Marcee D. Sloan

Asst. Secretary of the Board

/mds **Enclosure**

CC:

(with enclosure)

David M. Lame, Disciplinary Counsel Paul J. Killion, Chief Disciplinary Counsel

EXHIBIT

OFFICE OF DISCIPLINARY COUNSEL

No. 2 DB 2017

Petitioner

File No. C4-16-542

٧.

JASON R. TAYLOR

Attomey Registration No. 93330

Respondent

(Fayette County)

ORDER AND RULE TO SHOW CAUSE

AND NOW, this ______ day of January, 2017, upon Petition of the Office of Disciplinary Counsel, a Rule is hereby issued upon Respondent to show cause why he should not be placed on Temporary Suspension from the Bar of the Commonwealth of Pennsylvania pursuant to Pa.R.D.E. 208(f)(5).

The Rule to show cause is returnable within ten (10) days from service of notice of this Order. Respondent is directed to timely serve a copy of any response to the Petition and to this Rule upon the Office of Disciplinary Counsel.

BY THE BOARD

Board Chair

TRUE COPY FROM RECORD Attest:

Marcee D. Sloan

Aset. Secretary of the Board The Disciplinary Board of the Supreme Court of Pennsylvania Paul J. Killion Chief Disciplinary Counsel

Paul J. Burgoyne Deputy Chief Disciplinary Counsel

District IV Office Frick Building, Suite 1300 437 Graunt Street Pittsburgh, PA 15219 (412) 565-3173 Fax (412) 565-7620



SUPREME COURT OF PENNSYLVANIA



OFFICE OF DISCIPLINARY COUNSEL www.padisciplinaryboard.org

January 12, 2017

Disciptinary Counsel-in-Charge Angelea Allen Mitas

Disciplinary Counsel Mark G. Weltzman Samuel F. Napoli Cory John Cirelli David M. Lame Susan N. Dobbins Jana M. Palko William R. Friedman

Jason R. Taylor, Esquire Taylor Law Office 84 E. Main St., Ste. 2 Uniontown, PA 15401

Re: Office of Disciplinary Counsel v.

JASON R. TAYLOR

No. 2 DB 2017

File No. C4-16-542

Attorney Registration No. 93330

(Fayette County)

Dear Mr. Taylor:

Enclosed please find a true and correct copy of the Order and Rule to Show Cause issued by the Disciplinary Board dated January 9, 2017. For your convenience another copy of the Petition for Issuance of a Rule to Show Cause filed by the Office of Disciplinary Counsel on January 6, 2017 is also enclosed. Should you have any questions feel free to contact me at the above.

Very truly yours,

David M. Lame

Disciplinary Counsel

DML/mb

Enclosures

EXHIBIT

3

OFFICE OF DISCIPLINARY COUNSEL,: No. 2 DB 2017

Petitioner

: No. C4-16-542

ν.

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent

: (Fayette County)

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF FAYETTE

Phillip Michael

Sworn to and subscribed

before me this __/8

day of ______ 201

MAGISTERIAL DISTRICT JUNGS:
Fayette County, Pennsylv.

My Course Fig. Mag. 130.

EXHIBIT

OFFICE OF DISCIPLINARY COUNSEL,	: No. 2 DB 2017
Petitioner v.	: No. C4-16-542
JASON R. TAYLOR,	: Attorney Registration No. 93330
Respondent	: (Fayette County)
AFFIDAVI	T OF SERVICE
COMMONWEALTH OF PENNSYLVANIA	
COUNTY OF FAYETTE	
I, Phillip Michael, being	duly sworn according to law, depose
and say that on 1-18-17 (date)	at 30m I did duly serve
upon Jason R. Taylor, Esquire, t	the Respondent, an Order and Rule to
Show Cause of the Disciplinar	ry Board of the Supreme Court of
Pennsylvania dated January 9, 20	017, by handing the same to Jason R
Taylor, Esquire, at 362	South Wit Varior
Musetern PA 1540	dress)
	Phillip Michael
Sworn to and subscribed	
before me this /8	
Motary Public	
MICHAEL M. METTO G. 14-1-01 MAGISTERIAL DISTRICT JUDGE Fayette County, Francis Jan. 2022	

OFFICE OF DISCIPLINARY COUNSEL, :

: No. 2 DB 2017

Petitioner:

:

v.

:

JASON R. TAYLOR,

: Attorney Registration No. 93330

Respondent : (Fayette County)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served by first class mail the foregoing Petition to Make Rule Absolute and Temporarily Suspend Respondent Pursuant to Rule 208(f)(5), Pa.R.D.E. for Failure to Comply With Subpoena upon all parties of record in this proceeding in accordance with the requirements of 204 Pa. Code \$89.22 (relating to service by a participant).

By First Class Mail:

Jason R. Taylor, Esquire (724) 430-0300 84 E. Main Street, Ste. 2 Uniontown, PA 15401

(Respondent)

February 16, 2017

David M. Lame, Reg. No. 49531

Disciplinary Counsel

Suite 1300, Frick Building

437 Grant Street

Pittsburgh, PA 15219

(412) 565-3173