

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1336 Disciplinary Docket No. 3
Petitioner :
 : No. 131 DB 2007
v. :
 : Attorney Registration No. 49128
DEBBIE ANN CARLITZ, :
Respondent : (Bucks County)

ORDER

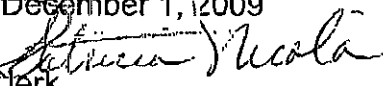
PER CURIAM:

AND NOW, this 1st day of December, 2009, upon consideration of the Report and Recommendations of the Disciplinary Board dated October 1, 2009, it is

ORDERED that the suspension entered by this Court on March 26, 2008, is hereby vacated.

A True Copy Patricia Nicola

As of: December 1, 2009

Attest: 
Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL	:	No. 1336 Disciplinary Docket No. 3
Petitioner	:	
	:	
v.	:	No 131 DB 2007
	:	
	:	Attorney Registration No. 49128
DEBBIE ANN CARLITZ	:	
Respondent	:	(Bucks County)

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 208(d)(2)(iii) of the Pennsylvania Rules of Disciplinary Enforcement, the Disciplinary Board of the Supreme Court of Pennsylvania ("Board") herewith submits its findings and recommendations to your Honorable Court in response to the Order of the Supreme Court dated May 11, 2009 with respect to the above-captioned matter.

I. HISTORY OF PROCEEDINGS

On July 26, 2005, the Supreme Court of Pennsylvania transferred Debbie Ann Carlitz, Respondent in these proceedings, to inactive status pursuant to Rule 111(b) of the Pennsylvania Rules for Continuing Legal Education on the basis that she failed to

comply with her CLE requirements. Respondent was advised of her transfer to inactive status by letter from the Disciplinary Board dated July 26, 2005.

On August 30, 2007, Office of Disciplinary Counsel filed a Petition for Discipline against Respondent alleging that she failed to fulfill her CLE requirements and continued to engage in the practice of law after her transfer to inactive status.

On December 7, 2007, a Three-Member Panel of the Disciplinary Board approved a Joint Petition in Support of Discipline on Consent, which was forwarded to the Supreme Court of Pennsylvania on that date. On March 26, 2008, by Order of the Supreme Court, Respondent was suspended on consent for a period of one year and one day.

On March 6, 2009, Respondent filed with the Supreme Court an Emergency Petition for Review. The Petition requested that the Court vacate its March 26, 2008 Order and remand the matter to the Office of Disciplinary Counsel, based on Respondent's claims that the Joint Petition in Support of Discipline on Consent was submitted to the Court without Respondent's true signature, and without her knowledge or consent. Attached to the Petition were Affidavits of Debbie Carlitz, Bonnie Sweeten, and Jeffrey Robert Solar.

On March 19, 2009, Office of Disciplinary Counsel filed an Answer to Respondent's Emergency Petition for Review.

On March 30, 2009, Respondent filed with the Supreme Court a Reply Brief in Support of Emergency Petition for Review.

By Order dated May 11, 2009, the Supreme Court remanded the matter to the Disciplinary Board for an evidentiary hearing before a Hearing Committee regarding Respondent's claims.

A hearing was scheduled for September 2, 2009 before a District II Hearing Committee; however, on August 27, 2009, in lieu of a hearing the parties filed Joint Stipulations of Fact and Law with the Committee.

On September 3, 2009, the Hearing Committee filed a Report and recommended that the Suspension Order issued in the matter of 131 DB 2007 be vacated and the matter remanded for a disciplinary hearing on the Petition for Discipline. (Exhibit "A")

This matter was adjudicated by the Disciplinary Board on September 10, 2009.

II. FINDINGS OF FACT

The Board makes the following findings of fact:

1. Petitioner, whose principal office is located at Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, PO Box 62485, Harrisburg Pennsylvania 17120-0901, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement, 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 in accordance with the various provisions of the aforesaid Rules.

2. Respondent is Debbie Ann Carlitz. She was born in 1961 and admitted to practice law in the Commonwealth in 1987. Her attorney registration address is Suite 301, 826 Bustleton Ave., Feasterville PA 19053. Respondent is subject to the jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

3. Respondent was transferred to CLE inactive status by Order of the Supreme Court of Pennsylvania dated July 26, 2005, because Respondent was one-half hour short of the required ethics credit hours for her CLE compliance year.

4. Respondent did not personally receive and was not contemporaneously aware of this Order as her office manager and paralegal, Ms. Bonnie Sweeten, did not present the Order to Respondent.

5. On August 30, 2007, Petitioner filed a Petition for Discipline alleging that Respondent had engaged in the unauthorized practice of law following her transfer to inactive status.

6. On September 12, 2007, Ms. Sweeten accepted service of the Petition for Discipline.

7. On September 19, 2007, Petitioner received an "Acceptance of Service" form that acknowledged receipt of the Petition for Discipline. The form bore a signature that purported to be Respondent's signature.

8. Thereafter, Jeffrey Robert Solar, Esquire, purporting to be counsel, though acting without Respondent's knowledge or authority, contacted Disciplinary Counsel Donna M. Snyder to discuss a non-hearing disposition.

9. Ms. Snyder mailed to Mr. Solar's office a document captioned "Joint Petition in Support of Discipline on Consent under Rule 215(d), Pa.R.D.E."

10. On October 24, 2007, Petitioner received from Mr. Solar the Joint Petition, which purportedly bore the signature of Respondent.

11. On October 26, 2007, Petitioner filed the Joint Petition with the Disciplinary Board. A Three-Member Panel of the Board approved the Joint Petition consenting to a one year and one day suspension and recommended to the Supreme Court that the Petition be granted.

12. By Order dated March 26, 2008, the Supreme Court of Pennsylvania suspended Respondent for one year and one day based on the Joint Petition.

13. On March 6, 2009, Respondent filed with the Supreme Court an Emergency Petition for Review, in which she claimed that she did not enter into consent discipline knowingly, freely and voluntarily.

14. Respondent requested that the Court vacate the Suspension Order and remand the matter for a disciplinary hearing on the Petition for Discipline filed under 131 DB 2007.

15. By Order of May 11, 2009, the Supreme Court remanded the matter to the Board for an evidentiary hearing.

16. Following the Remand Order, Petitioner interviewed Respondent with the consent of and in the presence of her legal counsel, and interviewed Jeffrey Robert Solar, Esquire, and Edward S. Shensky, Esquire.

17. Mr. Solar has known Respondent and Bonnie Sweeten for 15 years. In September 2007, Ms. Sweeten brought to Mr. Solar the Petition for Discipline filed against Respondent and inquired if Mr. Solar would handle the matter on behalf of Respondent.

18. Ms. Sweeten advised Mr. Solar that Respondent was not available to discuss the matter.

19. Mr. Solar had a telephone conversation with Disciplinary Counsel Donna Snyder, who advised him that Respondent could avoid a disciplinary hearing if Respondent agreed to consent discipline in the form of a suspension of one year and one day.

20. Following this conversation, Mr. Solar telephoned Respondent at her law office. Ms. Sweeten told Mr. Solar she would advise Respondent of Disciplinary Counsel's offer to resolve the disciplinary matter.

21. Ms. Sweeten advised Mr. Solar that Respondent agreed to the suspension of one year and one day.

22. Thereafter Mr. Solar advised Disciplinary Counsel Snyder that Respondent would accept a suspension of one year and one day.

23. Mr. Solar received in the mail the Joint Petition.

24. Ms. Sweeten retrieved the Joint Petition from Mr. Solar's law office.

25. Mr. Solar conveyed to Ms. Sweeten that Respondent should contact him with any questions.

26. Thereafter, Ms. Sweeten returned to Mr. Solar the Joint Petition, purportedly signed by Respondent and notarized by Ms. Sweeten.

27. Mr. Solar mailed the Joint Petition to Disciplinary Counsel Snyder.

28. Mr. Solar had no contact or discussions with Respondent.

29. Edward Shensky, Esquire, is a colleague of Respondent. In the summer of 2008 he ascertained through the Disciplinary Board website that Respondent had been suspended by virtue of the Suspension Order dated March 26, 2008.

30. Mr. Shensky telephone Respondent to inquire about her suspension.

31. Respondent expressed ignorance and surprise as to the suspension.

32. Respondent was not advised by either Ms. Sweeten or Mr. Solar that Office of Disciplinary Counsel had filed a Petition for Discipline against her.

33. Respondent was not advised by either Ms. Sweeten or Mr. Solar that Disciplinary Counsel Snyder had offered to resolve the disciplinary matter if Respondent consented to a suspension of one year and one day.

34. Neither Ms. Sweeten nor Mr. Solar provided Respondent with the Joint Petition prepared by Disciplinary Counsel Snyder.

35. Neither Ms. Sweeten nor Mr. Solar discussed with Respondent the Joint Petition.

36. Respondent and Office of Disciplinary Counsel were advised by Ms. Sweeten's counsel, Louis Busico, Esquire, that if Ms. Sweeten were called to testify she would invoke her Fifth Amendment right against self-incrimination and refuse to testify.

37. The following affidavit statements of Ms. Sweeten as attached to the Emergency Petition for Review (Exhibit D) are relevant:

i. I showed the Petition to Jeffrey Solar, Esquire, a criminal defense lawyer who knew me and knew Ms. Carlitz. I told Jeffrey that Ms. Carlitz was unavailable but wanted him to handle the matter. Throughout Mr. Solar's negotiation with the Office of Disciplinary Counsel, he only spoke to me and never consulted with Ms. Carlitz.

ii. I signed Ms. Carlitz's name to the Joint Petition for Discipline on Consent and did not show it to her. I did not understand the significance of what I had done and I did not discuss it with Mr. Solar.

iii. I never showed any documents relating to this matter to Ms. Carlitz.

38. Respondent did not personally endorse the Joint Petition or expressly authorize anyone to sign the Joint Petition on her behalf.

39. Respondent did not enter into consent discipline knowingly, freely, and voluntarily.

III. DISCUSSION


This matter is before the Disciplinary Board on an Emergency Petition for Review filed by Respondent, Debbie Ann Carlitz. Following the submission to the Supreme Court of a Joint Petition in Support of Discipline, Respondent was suspended on consent for a period of one year and one day by Order of the Court dated March 26, 2008. Petitioner requested review of this matter as she claimed that she did not enter into the consent discipline knowingly, freely or voluntarily. By Order of May 11, 2009, the Court remanded the matter for an evidentiary hearing.

Office of Disciplinary Counsel and Respondent entered into Joint Stipulations of Fact and Law on August 27, 2009. The Hearing Committee accepted the Stipulations and based on the information contained therein, recommended that the Suspension Order be vacated and the matter remanded.

The Joint Stipulations of Fact and Law support the finding that Respondent did not personally endorse the Joint Petition in Support of Discipline or expressly authorize anyone to sign the Joint Petition on her behalf. It is clear that Bonnie Sweeten, Respondent's paralegal, handled all aspects of the consent discipline and never revealed the circumstances to Respondent. Respondent remained ignorant of her suspended status until it was pointed out to her by a colleague.

For these reasons, the Board recommends that the Suspension Order at 131 DB 2007 be vacated and the matter remanded to the Office of Disciplinary Counsel for further consideration.

IV. RECOMMENDATION

The Disciplinary Board of the Supreme Court of Pennsylvania unanimously recommends that the Suspension ordered by the Supreme Court on ^{March} May 26, 2008 be  vacated and that the matter be remanded to the Office of Disciplinary Counsel for further consideration.

Respectfully submitted,

THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

By: 
William A. Pietragallo, Board Chair

Date: October 1, 2009

Board Members Jefferies and Cohen did not participate in the special Meeting held September 10, 2009.

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 1336 Disciplinary Docket No. 3
Petitioner
VS : No. 131 DB 2007
DEBBIE ANN CARLITZ : Attorney Registration No. 49128
Respondent : (Bucks County)

HEARING COMMITTEE DETERMINATION

Upon consideration of the "Joint Stipulation of Fact and Law" submitted by the Office of Disciplinary Counsel and Respondent, Debbie Ann Carlitz, a copy of which is attached hereto and made part hereof, it is the Hearing Committee's determination that the Emergency Petition for Review be GRANTED and that the Suspension Order issued under No. 131 DB 2007 be vacated and that the matter be remanded for a disciplinary hearing on the Petition for Discipline.


RAYMOND J. PEPPELMAN, JR., ESQUIRE
Chairman for the Hearing Committee

FILED

SEP 03 2009

Office of the Secretary
The Disciplinary Board of the
Supreme Court of Pennsylvania

EXHIBIT "A"

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1336 Disc. Docket
Petitioner : No. 3 - Supreme Court
:
:
v. : No. 131 DB 2007
:
DEBBIE ANN CARLITZ, : Atty. Reg. No. 49128
:
Respondent : (Bucks County)

JOINT STIPULATIONS OF FACT AND LAW

The following Joint Stipulations of Fact and Law is entered into by and between Petitioner, Office of Disciplinary Counsel ("ODC"), through Richard Hernandez, Disciplinary Counsel, and Respondent, Debbie Ann Carlitz, and may be admitted as evidence upon the record in the evidentiary hearing pertaining to Respondent's Emergency Petition for Review Pursuant to 42 Pa.C.S.A. § 502 and Pa.R.A.P. 3309 ("the Petition for Review").

A. Preliminary Provisions

1. Petitioner, whose principal office is located at Suite 1400, 200 North Third Street, Harrisburg, Pennsylvania, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereinafter "Pa.R.D.E."), with the power and 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 said Rules of Disciplinary Enforcement.

2. Respondent, Debbie Ann Carlitz, was born on April 8, 1961 and was admitted to practice law in the Commonwealth of Pennsylvania on June 3, 1987.

3. According to attorney registration records, Respondent's public access address is Suite 301, 826 Bustleton Avenue, Feasterville, PA 19053; however, Respondent no longer maintains an office for the practice of law at that location.

4. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

5. Neither Respondent nor ODC object to the Hearing Committee admitting into evidence Exhibits A and B attached to the Petition for Review.

6. Neither Respondent nor ODC object to the Hearing Committee admitting into evidence ¶¶12-14 of Exhibit D, attached to the Petition for Review.

7. This Joint Stipulations of Fact and Law may be distributed to the Hearing Committee Members in advance of the evidentiary hearing.

B. Procedural History

8. Respondent was transferred to CLE inactive status by Order of the Supreme Court of Pennsylvania dated July 26, 2005, because Respondent was one-half hour short of the required ethics credit hour for her CLE compliance year ending

on December 31, 1994.

a. Respondent did not personally receive and was not contemporaneously aware of this Order because her office manager and paralegal, Ms. Bonnie Sweeten, did not present the Order to Respondent.

9. On August 30, 2007, ODC filed with the Disciplinary Board a Petition for Discipline alleging that Respondent, *inter alia*, had engaged in the unauthorized practice of law following Respondent's transfer to inactive status by continuing to represent Mr. Robert Wanat and Mrs. Donna Wanat in a civil case filed in the Court of Common Pleas of Bucks County. The Petition for Discipline was docketed at No. 131 DB 2007.

10. On September 12, 2007, Ms. Sweeten accepted service of the Petition for Discipline.

11. On September 19, 2007, ODC received an "Acceptance of Service" form that acknowledged receipt of the Petition for Discipline; the form bore a signature that purported to be Respondent's signature.

12. Thereafter, Jeffrey Robert Solar, Esquire, purporting to be Respondent's counsel, though acting without Respondent's knowledge or authority, contacted Disciplinary Counsel Donna M. Snyder to discuss a non-hearing disposition; Ms. Snyder subsequently mailed to Mr. Solar's office a

document captioned "Joint Petition in Support of Discipline on Consent under Rule 215(d), Pa.R.D.E." ("the Joint Petition").

13. On October 24, 2007, ODC received from Mr. Solar the Joint Petition, which purportedly bore the signature of Respondent.

14. On October 26, 2007, ODC filed the Joint Petition with the Disciplinary Board.

15. By Order dated March 26, 2008 Order ("the Suspension Order"), the Supreme Court of Pennsylvania suspended Respondent for one year and one day based on the Joint Petition.

16. On or about March 3, 2009, Respondent filed with the Supreme Court of Pennsylvania the Petition for Review.

a. In the Petition for Review, Respondent essentially claimed that she did not enter into consent discipline knowingly, freely, and voluntarily.

b. Respondent requested that the Supreme Court of Pennsylvania vacate the Suspension Order and remand the matter for a disciplinary hearing on the Petition for Discipline filed under No. 131 DB 2007.

17. On or about March 18, 2009, ODC filed with the Supreme Court of Pennsylvania Petitioner's Answer to Respondent's Emergency Petition for Review Pursuant to 42

Pa.C.S.A. § 502 and Pa.R.A.P. 3309 ("the Answer").

18. On or about March 26, 2009, Respondent filed with the Supreme Court of Pennsylvania Respondent's Reply Brief in Support of Emergency Petition for Review Pursuant to 42 Pa.C.S.A. § 502 and Pa.R.A.P. 3309 ("the Reply Brief").

19. By Order dated May 11, 2009 ("the Remand Order"), the Supreme Court of Pennsylvania remanded the matter to the Disciplinary Board for an evidentiary hearing before a Hearing Committee regarding Respondent's claims.

C. Hearing Evidence

20. Since the date of the Remand Order, ODC has interviewed Respondent with the consent of and in the presence of her counsel, and interviewed Jeffrey Robert Solar, Esquire and Edward S. Shensky, Esquire.

21. If Mr. Solar were called to testify as a witness, Mr. Solar would state under oath:

- a. In September 2007, Ms. Sweeten brought to Mr. Solar the Petition for Discipline docketed at No. 131 DB 2007 and inquired if Mr. Solar would handle the matter on behalf of Respondent.
- b. During this meeting, Ms. Sweeten advised Mr. Solar that Respondent was not available to discuss the matter with Mr. Solar.
- c. Shortly thereafter, Mr. Solar telephoned

Disciplinary Counsel Donna M. Snyder to discuss the allegations underlying the Petition for Discipline; Mr. Solar was advised by Disciplinary Counsel Snyder that Respondent could avoid a disciplinary hearing if Respondent agreed to consent discipline in the form of a suspension for one year and one day.

- d. Following the telephone conversation with Disciplinary Counsel Snyder, Mr. Solar placed a telephone call to Respondent at her law office. Ms. Sweeten took the telephone call and told Mr. Solar that Respondent was unavailable. Mr. Solar conveyed to Ms. Sweeten that Respondent could avoid a disciplinary hearing if Respondent agreed to a suspension of one year and one day. Ms. Sweeten told Mr. Solar she would advise Respondent of Disciplinary Counsel Snyder's offer to resolve the disciplinary matter.
- e. The next day, Ms. Sweeten telephoned Mr. Solar to advise him that Respondent would agree to resolve the disciplinary matter by consenting to a suspension of one year and one day.
- f. Thereafter, Mr. Solar telephoned Disciplinary Counsel Snyder to advise that Respondent would

accept a suspension of one year and one day.

- g. Mr. Solar received in the mail the Joint Petition from Disciplinary Counsel Snyder.
- h. Ms. Sweeten retrieved the Joint Petition from Mr. Solar's law office.
- i. Mr. Solar conveyed to Ms. Sweeten that Respondent should contact Mr. Solar with any questions.
- j. Sometime thereafter, Ms. Sweeten returned to Mr. Solar the Joint Petition, purportedly signed by Respondent and notarized by Ms. Sweeten.
- k. Mr. Solar mailed the Joint Petition to Disciplinary Counsel Snyder.
- l. Mr. Solar had no contact or discussions with Respondent regarding the Petition for Discipline or the Joint Petition.

22. If Mr. Shensky were called to testify as a witness, Mr. Shensky would state under oath:

- a. Based on information received by Mr. Shensky, he used the Disciplinary Board's website prior to the summer of 2008 to ascertain Respondent's license status, at which time Mr. Shensky observed that Respondent had been suspended by virtue of the Suspension Order.

- b. Mr. Shensky telephoned Respondent to inquire about Respondent's suspension.
- c. When Mr. Shensky told Respondent that he was calling to inquire about her suspension, Respondent expressed ignorance and surprise.
- d. During their telephone conversation, Mr. Shensky suggested that Respondent access the Disciplinary Board's website; Mr. Shensky heard on his telephone receiver typing and what sounded to him like a shocked response.
- e. Thereafter, Respondent ended the telephone conversation with Mr. Shensky.

23. If Respondent were called to testify as a witness, Respondent would state under oath:

- a. Respondent was not advised by either Ms. Sweeten or Mr. Solar that ODC had filed a Petition for Discipline.
- b. Respondent was not advised by either Ms. Sweeten or Mr. Solar that Disciplinary Counsel Snyder had offered to resolve the disciplinary matter pending against Respondent if Respondent consented to a suspension of one year and one day.
- c. Neither Ms. Sweeten nor Mr. Solar provided Respondent with the Joint Petition prepared by

Disciplinary Counsel Snyder.

- d. Neither Ms. Sweeten nor Mr. Solar discussed with Respondent the Joint Petition.
- e. Respondent did not sign the Joint Petition or authorize anyone to sign the Joint Petition on her behalf.

24. Both Respondent and ODC have been advised by Ms. Sweeten's counsel, Louis R. Busico, Esquire, that if Ms. Sweeten were called to testify at an evidentiary hearing, Ms. Sweeten would invoke her Fifth Amendment right against self-incrimination and refuse to testify.

25. If Ms. Sweeten invoked her Fifth Amendment right at an evidentiary hearing, Respondent could seek to admit as evidence, pursuant to Pa.R.E. 804(a)(1) and Pa.R.E. 804(b)(3), that portion of Ms. Sweeten's affidavit (Exhibit D to the Petition for Review) which contains statements that would tend to expose Ms. Sweeten to criminal liability.

26. Respondent and ODC believe that at an evidentiary hearing Respondent would prove that: Ms. Sweeten's concern with self-incrimination was legitimate at the time Ms. Sweeten's affidavit was executed; there are sufficient corroborating circumstances that clearly indicate the trustworthiness of Ms. Sweeten's statements; and Ms. Sweeten's affidavit is authentic.

27. At an evidentiary hearing, the following affidavit statements of Ms. Sweeten (§§12-14, Exhibit D to the Petition for Review) would be relevant and admissible as a declaration-against-penal-interest exception to the hearsay rule:

12. I showed the Petition [Petition for Discipline] to Jeffrey Solar, Esq., a criminal defense lawyer who knew me and knew Ms. Carlitz. I told Jeffrey that Ms. Carlitz was unavailable but wanted him to handle the matter. Throughout Mr. Solar's negotiation with the Office of Disciplinary Counsel, he only spoke to me and never consulted with Ms. Carlitz.

13. I signed Ms. Carlitz's name to the Joint Petition for Discipline on Consent and did not show it to her. I did not understand the significance of what I had done and I did not discuss it with Mr. Solar.

14. I never showed any documents relating to this matter to Ms. Carlitz.


28. Since the date of the Remand Order, ODC has obtained additional information and documents regarding the operation of Respondent's law practice during the period of Respondent's inactive status and suspension and the activities of Ms. Sweeten; the information and documents indicate that Ms. Sweeten acted beyond the scope of her authority during her employment with Respondent and that Ms. Sweeten placed Respondent's signature on documents without Respondent's consent and authority.

29. Respondent did not personally endorse the Joint Petition or expressly authorize anyone to sign the Joint


Petition on her behalf.

30. Based on all of the above but particularly stipulation ¶29, Respondent and ODC believe that Respondent would meet her burden of proving that Respondent did not enter into consent discipline knowingly, freely, and voluntarily.


Aug. 25, 2009
Date


Richard Hernandez
Disciplinary Counsel

8/24/09
Date


Debbie Ann Carlitz
Respondent

8/24/09
Date


Ellen C. Brotman, Esq.
Counsel for Respondent