

**Electronically Filed
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SCAD-14-0000880

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

OFFICE OF DISCIPLINARY COUNSEL,
Petitioner,

vs.

EADEAN M. BUFFINGTON,
Respondent.

ORIGINAL PROCEEDING
(ODC 12-017-9033)

ORDER ALLOWING RESIGNATION IN LIEU OF DISCIPLINE

(By: Recktenwald, C.J., Nakayama, McKenna, Pollack, and Wilson JJ.)

Upon consideration of the Office of Disciplinary Counsel (ODC)'s petition for an order granting the request of attorney Eadean M. Buffington to resign from the practice of law in lieu of discipline, and the memorandum, affidavits, and exhibits attached in support thereof, we note the petition is supported by Respondent Buffington's affidavit and that the affidavit meets the requirements of Rule 2.14(a) of the Rules of the Supreme Court of the State of Hawai'i (RSCH). In sum, Buffington admits to failing to act with reasonable competence or diligence in her representation of clients, assisting a client in a fraudulent act, failing to deposit funds entrusted to her in a

client matter into her client trust account, commingling and misappropriating \$21,750.00 in funds entrusted to her, committing criminal acts that reflects adversely on her honesty, trustworthiness or fitness as a lawyer in other respects, and engaging in deceitful conduct, resulting in multiple violations of Rules 1.1, 1.2(d), 1.15(c), 1.15(d), 8.4(b) and 8.4(c) of the Hawai'i Rules of Professional Conduct. It further appears that, because Respondent Buffington's behavior included misappropriation of client funds, any reinstatement must be predicated upon full restitution of all misappropriated money. Therefore,

IT IS HEREBY ORDERED, pursuant to RSCH Rule 2.14, that the petition is granted and Respondent Eadean M. Buffington's request to resign in lieu of discipline is granted.

IT IS FURTHER ORDERED that the resignation is effective 30 days after the date of this order, as provided by RSCH Rules 2.14(d) and 2.16(c).

IT IS FURTHER ORDERED that any future reinstatement is conditioned upon proof that Respondent Buffington has made full restitution of all misappropriated monies.

IT IS FURTHER ORDERED that (1) the Clerk shall remove Respondent Buffington's name from the role of attorneys licensed to practice law in this jurisdiction and (2) within thirty days after entry of this order, Respondent Buffington shall submit to

the Clerk of this court the original certificate evidencing her license to practice law in this jurisdiction or an affidavit establishing good cause for her failure to do so.

IT IS FURTHER ORDERED that (1) Respondent Buffington shall comply with the requirements of RSCH Rule 2.16 and (2) the Disciplinary Board shall provide notice of the disbarment as required by RSCH Rule 2.16(e) and (f).

IT IS FINALLY ORDERED that Respondent Buffington shall bear the costs of these proceedings, upon the timely submission by ODC of a verified bill of costs, as authorized by RSCH Rule 2.3(c).

DATED: Honolulu, Hawai'i, July 7, 2014.

/s/ Mark E. Recktenwald

/s/ Paula A. Nakayama

/s/ Sabrina S. McKenna

/s/ Richard W. Pollack

/s/ Michael D. Wilson

