

Supreme Court of Kentucky

2017-SC-000025-KB

TIMOTHY MICHAEL LONGMEYER

MOVANT

V.

IN SUPREME COURT

KENTUCKY BAR ASSOCIATION

RESPONDENT

OPINION AND ORDER

Timothy Michael Longmeyer, Kentucky Bar Association Member No. 84787, in person and through counsel, moves this Court for leave to resign under terms of permanent disbarment. The Kentucky Bar Association has no objection to Longmeyer's motion.

I. BACKGROUND.

Longmeyer was charged with and pled guilty to one count of bribery in violation of 18 U.S.C. § 666(a)(1)(B). Following Longmeyer's April 2016 guilty plea, the KBA temporarily suspended him from the practice of law pursuant to Supreme Court Rule (SCR) 3.166. That suspension remains in effect.

Longmeyer's federal charge arose from actions he took while serving as Secretary of the Personnel Cabinet. According to the Information and Plea Agreement in the federal criminal case, Longmeyer, who was responsible for administration of the Kentucky Employees' Health Plan (KEHP), received \$212,500 in illegal "kickbacks" from a consultant who provided services to

Humana and Anthem through KEHP. In September 2016, the federal court accepted Longmeyer's plea, sentenced him to 70 months incarceration, and ordered him to pay \$203,500 in restitution.

Approximately one month after Longmeyer entered into the plea agreement, the Inquiry Commission issued a complaint stating that Longmeyer violated SCR 3.130(8.4)(b) ("It is professional misconduct for a lawyer to: commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects"). No formal charges have been issued. However, Longmeyer acknowledges that there is sufficient evidence to support formal charges and to support a finding that he violated at least SCR 3.130(8.4)(b). Therefore, Longmeyer seeks leave to resign under terms of permanent disbarment.

II. ANALYSIS.

Based on our review of the record, the severity of the conduct in which Longmeyer engaged, and our disciplinary precedent, we agree that permanent disbarment is appropriate. Therefore, we grant Longmeyer's motion to resign from the KBA under terms of permanent disbarment.

It is therefore, ORDERED that:

1. Movant, Timothy Michael Longmeyer, KBA No. 84787 is permanently disbarred from the practice of law in the Commonwealth of Kentucky. Disbarment shall commence on the date of this order.
2. Pursuant to SCR 3.390, Respondent, if he has not already done so, shall, within ten days from the entry of this Opinion and Order, notify all

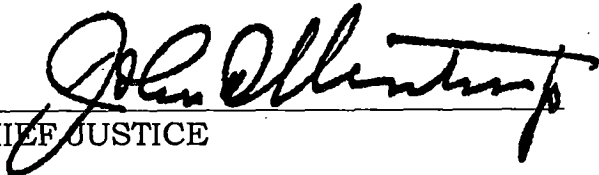
clients in writing of his inability to represent them, and notify all courts in which he has matters pending of his suspension from the practice of law, and furnish copies of said letters of notice to the Office of Bar Counsel, assuming that this is necessary given that he is currently suspended from the practice of law and given his statement that he was not practicing law at the time the events in question took place;

3. Pursuant to SCR 3.390, Respondent shall, to the extent possible and necessary, immediately cancel and cease any advertising activities in which he is engaged, assuming that this is necessary given that he is currently suspended from the practice of law and given his statement that he was not practicing law at the time the events in question took place;

4. In accordance with SCR 3.450, Respondent is directed to pay the costs of this action in the amount of \$64.80, for which execution may issue from this Court upon finality of this Opinion and Order.

All sitting. All concur.

ENTERED: March 23, 2017.


CHIEF JUSTICE