

**IN THE SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL : No. 2311 Disciplinary Docket No. 3  
:  
Petitioner : 169 DB 2016  
:  
v. : Attorney Registration No. 69176  
:  
JEFFREY DALE MOHLER : (Delaware County)  
:  
Respondent :


**ORDER**

**PER CURIAM**

**AND NOW**, this 2<sup>nd</sup> day of October, 2017, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board, the Joint Petition in Support of Discipline on Consent is granted, and Jeffrey Dale Mohler is suspended on consent from the Bar of this Commonwealth for a period of five years, retroactive to October 28, 2016. He shall comply with all provisions of Pa.R.D.E. 217.

Respondent shall pay the costs incurred by the Disciplinary Board in the investigation and prosecution of this matter.

A True Copy Patricia Nicola  
As Of 10/2/2017

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 169 DB 2016  
Petitioner :  
:   
v. :   
: Attorney Reg. No. 69176  
JEFFREY DALE MOHLER :   
Respondent : (Lancaster County)

JOINT PETITION IN SUPPORT  
OF DISCIPLINE ON CONSENT  
PURSUANT TO Pa.R.D.E. 215 (d)

Petitioner, the Office of Disciplinary Counsel (hereinafter, "Petitioner" or "ODC") by Paul J. Killion, Chief Disciplinary Counsel, and Harold E. Ciampoli, Jr., Disciplinary Counsel and Respondent, Jeffrey Dale Mohler (hereinafter, "Respondent"), by and through his counsel, Samuel Stretton, Esquire, respectfully petition the Disciplinary Board in support of discipline on consent, pursuant to Pennsylvania Rule of Disciplinary Enforcement ("Pa.R.D.E.") 215(d), and in support thereof state:

1. ODC, whose principal office is situated at Office of Chief Disciplinary Counsel, Pennsylvania Judicial Center, Suite 2700, 601 Commonwealth Avenue, P.O. Box 62485, Harrisburg, Pennsylvania 17106, is invested, pursuant to Pa.R.D.E. 207, 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 the aforesaid Enforcement Rules.

2. Respondent, Jeffrey Dale Mohler, was born on January 9, 1968, and was admitted to practice law in the Commonwealth on November 29, 1993. By Order dated October 28, 2016, the Supreme Court of Pennsylvania granted the parties' Joint Petition to Temporarily Suspend an Attorney and placed Respondent on temporary suspension. Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court.

#### BACKGROUND

3. On January 4, 2016, the Pennsylvania Lawyers Fund for Client Security ("Client Security") received a report from PNC Bank that there had been a shortfall in Respondent's IOLTA account.

4. After receiving Respondent's reply to its inquiry, Client Security referred the matter to ODC on January 12, 2016 for review and further investigation. In her referral letter, Kathryn J. Peifer, Esquire, the Executive Director of Client Security, raised concerns that Respondent, *inter alia*, violated RPC 1.8(a), wrote checks on an IOLTA to purchase property,

knowing the funds to cover the checks were not in the account when the checks were issued and improperly commingled personal funds with client funds.

5. By letters to ODC dated January 19, 2016, and January 25, 2016, Mr. Stretton advised he represented Respondent and expressed a desire to cooperate and enter into consent discipline.

6. Prior to ODC commencing its investigation, Respondent immediately and forthrightly admitted and described in detail the extent and scope of his misconduct. Thereafter, Respondent has cooperated fully with ODC and its Auditor in ODC's efforts to confirm Respondent's statements and to review and audit the voluminous records provided by Respondent and Respondent's bank.

7. Some of Respondent's admissions could not be corroborated by records and would not have been discovered by ODC without Respondent's assistance and cooperation.

#### **SPECIFIC FACTUAL ALLEGATIONS ADMITTED**

8. Respondent operated an IOLTA at PNC Bank, account No. xxxx6011 titled Law Office of Jeffrey D. Mohler IOLTA Account (hereafter IOLTA I) from at least 2009 through 2011.

9. Respondent operated another IOLTA at PNC Bank, account No. xxxx3702 titled Law Office of Jeffrey D. Mohler IOLTA Client

Trust Fund Account (hereafter IOLTA II) from November 1, 2011 until at least January 31, 2016.

10. Respondent operated the Law Office of Jeffrey D. Mohler, as well as a title company, from May 1, 2008 until March 31, 2016, when he ceased the practice of law due to the present disciplinary investigation.

11. The majority of Respondent's practice was related to real estate and Respondent maintained his IOLTA accounts to hold client funds in escrow for real estate transactions.

12. Beginning in 2012 and continuing until 2016, Respondent attended sheriff's sales with his clients and assisted them in making purchases of real estate by lending them money from his IOLTA account for down payments.

13. At the sheriff's sales, Respondent's clients were ordinarily required by the sheriff to put down 20% of the purchase price and complete the transaction within thirty days. The sheriff would only accept certified checks for these down payments. At some point, Respondent learned that the sheriff would also accept checks drawn on an IOLTA. In order to expedite the sheriff sale process and please his clients, Respondent began lending money to his clients from his IOLTA in order for those clients to make the down payment. In most cases, Respondent drew IOLTA checks payable directly to the

sheriff on behalf of his client, who at the time had provided no funds to Respondent, thereby impermissibly using the funds of other clients without their knowledge, permission or consent. Within a few days, in most cases, the client would reimburse Respondent by drawing a check payable to Respondent or his law firm. Respondent would deposit these reimbursement checks into his IOLTA.

14. Respondent acknowledges that the previously described procedure, which he routinely engaged in over a number of years, amounted to improperly lending client money from his IOLTA to fund the purchase of real estate for another client and violated RPC 1.15.

15. Respondent acknowledges that he engaged in frequent conflicts of interest because he entered into these loan transactions with clients without complying with the requirements of RPC 1.8.

16. Respondent also acknowledges that this procedure was inappropriate and risky in the event that a client did not reimburse the money Respondent had lent to them from Respondent's IOLTA. Respondent had no permission or authority to assist his clients at sheriff's sales by lending them funds belonging to other clients that he was holding in a fiduciary capacity.

17. Examples of the potential risk that were realized are illustrated by Respondent's transaction with clients J.L. and W.M.

18. J.L. was one of Respondent's clients, who regularly purchased properties at sheriff's sales, using funds lent to him from Respondent's IOLTA.

19. J.L. generally reimbursed Respondent promptly. However, on three occasions, J.L. provided checks to Respondent which were returned for insufficient funds, as follows:

- \$11,720.00 check returned on March 31, 2015;
- \$41,500.00 check returned November 20, 2015; and
- \$48,000.00 check returned January 4, 2016.

The check for \$48,000.00 precipitated the report from PNC Bank to Client Security of an overdraft in IOLTA II.

20. W.M. was one of Respondent's clients.

21. On November 18, 2015, Respondent lent W.M. \$21,057.74 via check # 1667 drawn from IOLTA II for the purchase of a property in Lancaster County, PA.

22. On November 27, 2015, W.M. reimbursed Respondent's IOLTA II \$5,000.00, but failed to reimburse the remaining \$16,057.74.

23. In order to compensate for this shortfall, Respondent deposited \$16,057.74 of his own funds into IOLTA II on January 7, 2016, drawn from his line of credit at National Penn Bank.

24. Respondent acknowledges that, on occasion, he deposited his own funds into IOLTA II, improperly co-mingling his funds with client funds in violation of RPC 1.15(h).

25. An audit of Respondent's IOLTA II revealed that sheriff's sale transactions dominated the account. During the period July 27, 2012, through December 24, 2015, Respondent drew 260 checks payable to the sheriff of various counties totaling \$10,408,687.61. Since the check amounts and deposit amounts were identical, Respondent lent the same IOLTA funds over and over again.

26. Respondent acknowledges that he lent IOLTA funds to the following clients to purchase real estate at sheriff's sales:

- **Tri-County REO, LLC;**
- **CJD Group, LLC**  
(From 2/3/14 to 12/24/15, Respondent made at least 66 "loans" from IOLTA II totaling more than \$5,200,000);
- **BP Group, LP**  
(From 3/31/15 to 11/30/15, Respondent made at least 18 "loans" from IOLTA II totaling more than \$396,000);
- **J. Gordon Gainer, LLC**  
(From 7/27/12 to 9/11/15, Respondent made at least 32 "loans" from IOLTA II totaling more than \$858,000);



- **Jonathan Leventry**  
(From 4/2/13 to 12/23/15, Respondent made at least 39 "loans" from IOLTA II totaling more than \$809,000);
- **Gerald Seibel**  
(On 2/4/15, Respondent made at least 1 "loan" from IOLTA II of more than \$29,000);
- **Jesse Landis**  
(From 9/28/12 to 8/5/13, Respondent made at least 3 "loans" from IOLTA II totaling more than \$52,000);
- **Corporate Venture Group**  
(From 6/1/15 to 11/23/15, Respondent made at least 7 "loans" from IOLTA II totaling more than \$121,000);  
and
- **Eli S. King dba We Buy Houses Lancaster, LLC**  
(From 2/4/15 to 8/3/15, Respondent made at least 8 "loans" from IOLTA II totaling more than \$133,000.00).

27. In some cases, Respondent improperly gave signed, blank IOLTA checks to his clients to make the down payments themselves. In those cases, the client would reimburse Respondent's IOLTA by subsequently depositing the funds directly into Respondent's IOLTA. Respondent did not always carefully monitor these repayments. In fact, on July 20, 2015, Respondent lent BP Group, LP \$14,000.00 via check # 1540 drawn from IOLTA II for the purchase of a property in Adams County, PA. BP Group reimbursed only \$10,000.00, leaving a shortfall of \$4,000.00 in IOLTA II for approximately three months. Respondent did not

notice the shortfall until he was advised by BP Group, which reimbursed Respondent's IOLTA II on October 13, 2015.

28. Respondent also acknowledges that, following real estate closings handled by his title company, he sometimes improperly converted settlement reimbursements which belonged to third parties.

29. Respondent admits that, when handling real estate closings for his clients, he sometimes failed to forward the following tax refunds belonging to a bank, instead drawing an IOLTA I check to himself or simply leaving those funds on deposit in his IOLTA I:

- \$2,306.83 from HSBC on 9/6/09;
- \$1,249.76 from Wells Fargo on 10/23/09;
- \$1,302.85 from PHH Mortgage on 5/20/10;
- \$1,504.92 from Fannie Mae on 5/20/10;
- \$ 559.99 from Ocwen on 5/20/10;
- \$1,890.08 from PNC Mortgage on 5/20/10;
- \$1,639.13 from Wells Fargo Mortgage on 5/20/10;
- \$2,510.87 from US Bank Home Mortgage (retained in Respondent's IOLTA);
- \$ 506.89 from Bank of America (retained in Respondent's IOLTA);

- \$ 299.07 from US Bank (retained in Respondent's IOLTA); and
  - \$ 624.53 from Central Mortgage Co (retained in Respondent's IOLTA);
- \$ 14,394.92 Total

30. Respondent has repaid the tax refunds to the proper parties.

31. Respondent acknowledges that in or about 2009, Nationstar Mortgage Company inadvertently failed to negotiate an IOLTA I check from Respondent's client in the amount of \$30,582.18 in connection with a settlement handled by Respondent's title company. Respondent knowingly retained those funds in IOLTA I and twice lent those funds to other clients. He did not repay Nationstar until February 4, 2016.

32. Respondent acknowledges that he improperly borrowed \$43,997.30 from IOLTA I in January 2010 to make a personal purchase of personal real estate. Respondent repaid these funds in October 2010.

**SPECIFIC RULES OF PROFESSIONAL CONDUCT AND  
RULES OF DISCIPLINARY ENFORCEMENT VIOLATED**

Respondent violated the following RPCs:

- A. **RPC 1.8(a)**, which states that a lawyer shall not enter into a business transaction with a client or knowingly

acquire an ownership, possessory, security or other pecuniary interest adverse to a client unless: (1) the transaction and terms on which the lawyer acquires the interest are fair and reasonable to the client and are fully disclosed and transmitted in writing in a manner that can be reasonably understood by the client; (2) the client is advised in writing of the desirability of seeking and is given a reasonable opportunity to seek the advice of independent legal counsel on the transaction; and (3) the client gives informed consent in a writing signed by the client, to the essential terms of the transaction and the lawyer's role in the transaction, including whether the lawyer is representing the client in the transaction.

- B. **RPC 1.15(b)**, which states that 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.
- C. **RPC 1.15(h)**, which states that a lawyer shall not deposit the lawyer's own funds in a Trust Account except for the sole purpose of paying service charges

on that account, and only in an amount necessary for that purpose.

- C. **RPC 8.4(b)**, which states that 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.
- D. **RPC 8.4(c)**, which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

**SPECIFIC RECOMMENDATION FOR DISCIPLINE**

33. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a five-year suspension retroactive to the interim suspension that was entered by the Supreme Court of Pennsylvania by Order dated October 28, 2016.

34. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this Petition is Respondent's executed Affidavit required by Rule Pa.R.D.E. 215(d) (marked as Exhibit "A"), stating that he consents to the recommended discipline and including the mandatory acknowledgements contained in Rule 215(d)(1) through (4), Pa.R.D.E.

35. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that there are several mitigating circumstances:

- a) Respondent has admitted engaging in misconduct and violating the charged Rules of Professional Conduct;
- b) Respondent has cooperated with Petitioner, as is evidenced by Respondent's admissions herein and his consent to receiving a five-year suspension;
- c) Respondent is remorseful for his misconduct and understands he should be disciplined, as is evidenced by his consent to receiving a five-year suspension;
- d) Respondent has practiced law for over 22 years and has no record of discipline;
- e) The Respondent also cooperated and agreed to be put on interim suspension which was ordered by the Supreme Court of Pennsylvania by Order dated October 28, 2016. The discipline imposed, by agreement, would be retroactive to that date;
- f) Respondent has made full and complete restitution to everyone and has made all restitution of all sums at issue; and

g) Respondent has begun a course of therapy with Jonathan Gransee. Dr. Gransee has been treating Respondent from February of 2016 through December of 2016 and has seen Respondent in at least 26 individual therapy sessions. Attached and marked as Exhibit "B" is Dr. Gransee's initial report of January 22, 2016 listing his initial observations. Attached and marked as Exhibit "C" is Dr. Gransee's report dated May 18, 2017. This report notes Respondent has worked very hard to identify the issues that caused his misconduct. The doctor notes that Respondent is an exceptional client who has made excellent progress in developing insight and more advanced coping skills. Dr. Gransee noted that Respondent has gained insight into these matters and it would be highly unlikely he would repeat the misconduct. At the current time, Dr. Gransee has recommended no further treatment. The psychological issues clearly contributed to Respondent's misconduct and should be considered by way of mitigation.

36. The parties agree the Respondent's misconduct was very serious, warranting a suspension of five years. Respondent's transgressions in this matter were continuous, pervasive and extensive over the course of several years. On countless occasions, from at least 2012 through 2016, Respondent engaged in reckless disregard for the safeguard of entrusted client funds by improperly loaning these funds to other clients to fund the purchases of real estate. Respondent's actions also constituted a conflict of interest because on a routine and systematic basis Respondent would engage in these business transactions without full disclosure and compliance with the requirements of RPC 1.8, and without the knowledge, permission or consent of his clients whose entrusted money he was putting at risk.

The Board has defined misappropriation as "any unauthorized use of client's funds entrusted to a lawyer, including not only stealing but also unauthorized temporary use for the lawyer's own purposes, whether or not he derives any personal gain or benefit there from." *Office of Disciplinary Counsel v. Patricia Renfro*, 122 DB 2004 (2005); *Office of Disciplinary Counsel v. Hopkin T. Rowlands, Jr.*, 115 DB 2013 (2015). Thus, Respondent's unauthorized loans constituted misappropriation and occurred time and time again over the course of several years.



Additionally, Respondent improperly converted to his personal use over \$14,000 of settlement reimbursements belonging to third parties.

Both the Board and the Court have regarded misappropriation of entrusted funds as an extremely serious act of misconduct, warranting lengthy suspension or disbarment depending on the individual facts of the case. *Office of Disciplinary Counsel v. Lucarini*, 472 A.2d 186 (Pa. 1983) (conduct, *inter alia*, of repeatedly commingling funds belonging to clients with personal funds, converting funds belonging to clients for personal use without clients' knowledge or permission, and failing to maintain funds in escrow adequate to meet obligations to clients warranted disbarment); *ODC v. James Barnett Gefsky*, 162 DB 2009 (2011) (five year suspension for attorney who, *inter alia*, converted to own use \$71,527.85 of a client's money for over a year prior to repaying, notwithstanding claim that misappropriation was unintentional and due to disorganized state of law practice). The Board has emphasized that "[t]he proper handling of client money goes to the heart of a lawyer's obligations to a client; it follows that the mishandling of such funds abuses the trust between the lawyer and the client." *ODC v. Anthony Dennis Jackson*, 99 DB 2006 (2008). Moreover, entering into business transactions with a client, especially involving

the borrowing of funds from the client, without following the specific requirements of Rule 1.8(a) has been treated by the Board and the Court as serious misconduct. *Office of Disciplinary Counsel v. Glenn D. McGogney*, 194 DB 2009 (2012); (disbarment for attorney who, *inter alia*, solicited loan from client without disclosing material facts and knowing it would not be repaid) *Office of Disciplinary Counsel v. Hopkin T. Rowlands, Jr.*, 115 DB 2013 (2015) (one year and one day suspension for attorney who misappropriated funds by writing numerous loan checks from client account that were not properly documented or authorized).

37. In sum, the jointly proposed discipline of a five-year suspension is appropriate when considering the above referenced precedent and the specific facts of Respondent's misconduct. As stated, Respondent fully acknowledges that his misconduct was serious and warrants a lengthy suspension. However, militating against disbarment is prior to ODC commencing its investigation, Respondent exhibited remorse and full cooperation with ODC from the start of his disciplinary matter. Respondent immediately and candidly admitted and described in detail the extent and scope of his misconduct. In fact, a number of Respondent's admissions could not be corroborated by records and would not have been discovered by

ODC without Respondent's assistance and cooperation. Respondent's remorse and cooperation is further evidenced by his willingness to enter into consent discipline for a lengthy suspension of five years and his admission that he engaged in misconduct and violated the charged Rules of Professional Conduct.

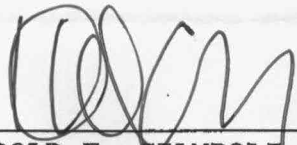
WHEREFORE, Petitioner and Respondent respectfully request that, pursuant to Pennsylvania Rules of Disciplinary Enforcement 215(e) and 215(g), a three member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and file a recommendation with the Supreme Court of Pennsylvania that Respondent receive a five-year suspension retroactive to the date of the interim

suspension which was ordered on October 28, 2016 by the Supreme Court.

Respectfully submitted,

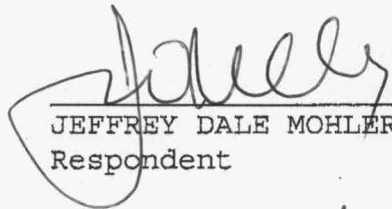
OFFICE OF DISCIPLINARY COUNSEL  
PAUL J. KILLION  
Attorney Reg. No. 20955,  
Chief Disciplinary Counsel

Date: 8/25/17



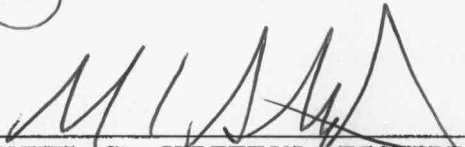
HAROLD E. CIAMPOLI, JR.  
Disciplinary Counsel  
Attorney Reg. No. 51159  
820 Adams Avenue, Suite 170  
Trooper, PA 19403  
(610) 650-8210

Date: 8/16/17



JEFFREY DALE MOHLER  
Respondent

Date: 8/18/17



SAMUEL C. STRETTON, ESQUIRE  
Attorney for Respondent

VERIFICATION

The statements contained in the foregoing *Joint Petition In Support of Discipline on Consent 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.A. §4904, relating to unsworn falsification to authorities.

8/25/17

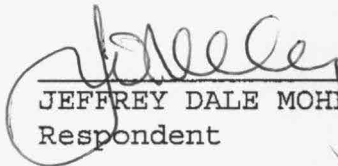
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HAROLD E. CIAMPOLI, JR.  
Disciplinary Counsel

8/16/17

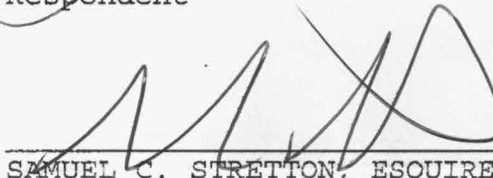
Date



JEFFREY DALE MOHLER  
Respondent

8/18/17

Date



SAMUEL C. STRETTON, ESQUIRE  
Attorney for Respondent

**BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA**

OFFICE OF DISCIPLINARY COUNSEL, : No. DB 2016  
Petitioner :  
: v. :  
: Attorney Reg. No. 69176  
JEFFREY DALE MOHLER, :  
Respondent : (Lancaster County)

**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the foregoing document 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).

Overnight Mail, as follows:

Samuel C. Stretton, Esquire  
301 South High Street  
P.O. Box 3231  
West Chester, PA 19381  
Respondent's Counsel

Dated: \_\_\_\_\_

8/25/17



\_\_\_\_\_  
HAROLD E. CIAMPOLI, JR.  
Disciplinary Counsel  
Attorney Reg. No. 51159  
Office of Disciplinary Counsel  
Suite 170  
820 Adams Avenue  
Trooper, PA 19403  
(610) 650-8210

BEFORE THE DISCIPLINARY BOARD OF THE  
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 169 DB 2016  
Petitioner :  
: v. :  
: Attorney Reg. No. 69176  
JEFFREY DALE MOHLER :  
Respondent : (Lancaster County)

AFFIDAVIT

UNDER RULE 215(d), Pa.R.D.E.

COMMONWEALTH OF PENNSYLVANIA:  
COUNTY OF LANCASTER:

JEFFREY DALE MOHLER, being duly sworn according to law, deposes and hereby submits this affidavit consenting to the recommendation of a five-year suspension in conformity with Pa.R.D.E. 215(d) 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 November 29, 1993.

2. He desires to submit a Joint Petition in Support of Discipline on Consent Pursuant to Pa.R.D.E. 215(d).

3. His consent 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 affidavit.

4. He is aware that there is presently pending a proceeding into allegations that he has been guilty of misconduct as set forth in the Joint Petition in Support of Discipline on

Consent Pursuant to Pa.R.D.E. 215(d) to which this affidavit is attached.

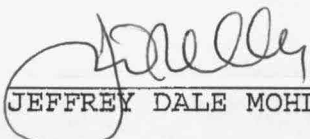
5. He acknowledges that the material facts set forth in the Joint Petition are true.

6. He submits the within affidavit because he knows that if charges predicated upon the matter under investigation were filed, or continued to be prosecuted in the pending proceeding, he could not successfully defend against them.

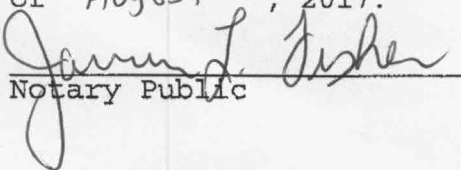
7. He acknowledges that he is fully aware of his right to consult and employ counsel to represent him in the instant proceeding. He has retained, consulted and acted upon the advice of counsel, Samuel C. Stretton, Esquire, in connection with his decision to execute the within Joint Petition.

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

Signed this 16<sup>th</sup> day of August, 2017.

  
JEFFREY DALE MOHLER

Sworn to and subscribed  
before me this 16th day  
of August, 2017.

  
Notary Public

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
JANEICE L. FISHER, Notary Public  
City of Lancaster, Lancaster County  
My Commission Expires October 22, 2020



**Jonathan M. Gransee, Psy.D. & Associates, P.C.**  
 Jonathan M. Gransee, Psy.D. - Licensed Psychologist/President  
 313 W. Liberty St. Suite 226, Lancaster PA 17603  
 Phone: (717) 509-5151 Fax: (717) 509-6734  
 www.jgevaluations.com  
 Consulting - Evaluations

**PSYCHOLOGICAL EVALUATION**

**JEFF MOHLER**

**JANUARY 22<sup>ND</sup>, 2016**

**Identifying Information**

**Birth Date:** 01/09/68 **Age:** 48 years, 0 months

**Gender:** Male

**Address:** 1007 Stone Manor Drive **Phone:** (717) 291-6800 (office)  
Lancaster, PA 17603

**Marital Status:** Married **Birth Date:** 12/14/74  
Wife: Rachael Mohler

**Children:**

Son: Joseph Mohler	<b>Birth Date:</b> 01/14/98
Daughter: Emma Mohler	<b>Birth Date:</b> 02/20/00
Daughter: Abigail Mohler	<b>Birth Date:</b> 09/28/04
Daughter: Clara Mohler	<b>Birth Date:</b> 09/01/10

**Employer:** Mohler Law Firm

**Community Systems Involved:**

Samuel Stratton, Esq.: Stratton Law Firm  
Daniel Diehl, MD: Primary Care Physician

Mohler, Jeff

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Reason for Referral

Jeff Mohler was self-referred for a Psychological Evaluation. The purpose of this evaluation was to assess his psychological functioning, and to make any recommendations related to that. Information was provided by Jeff and through testing, and through a review of available records.

Relevant InformationBackground History

Jeff is a 48-year-old male, whose strengths involve the fact that he is intelligent, and the fact that "people do seem to generally like me." He stated he is friendly, and while reserved initially, "once you get me talking," he has no issue. And, he noted he is hard-working, and "pretty loyal." And, he noted "I love my kids, I love my wife...I have a great family, which is what troubles me this the most." And, he noted he is an entrepreneur, and an idea person. At this point, he resides with his wife and children in Lancaster, Pennsylvania. Family strengths involve the fact that "we all love each other...my wife is very supportive...she's not going to leave me, unless I leave her by going to jail." He also noted that all of his children are "good kids...none of them are in trouble." He noted that they home-schooled their children in the past, and his wife was the one to run the show.

With regards to his history, Jeff reported that he grew up in an intact family. He stated there was no domestic violence in the home, and he was not subjected to any physical or emotional abuse from his parents. He stated he was sexually molested when he was 13 or 14, by a relative stranger. He reported he collected autographs of famous people, and had placed an ad in a magazine with that goal in mind. He had someone write back to him, indicating he was also an autograph collector, and the individual was apparently a sexual opportunist and predator. He noted his parents did not notice anything unusual, because they were preoccupied with his brothers' issues. He noted that there was complete sexual activity between he and that individual. He stated it was not forced sexual activity, but of course, given his age, it is considered sexual abuse. That continued until he went to college, though he stated "the best I could recall, it slowed down after I was able to drive, but I would still go there, but not as often." He stated he was frightened if he had AIDS, and he also worried he may be gay. He stated there were no other situations following that. He never obtained justice for this past assault, and he noted the perpetrator is since deceased. He noted, in terms of that individual, "he did a number on me...he got his hooks in."

As an adult, Jeff reported that his current marriage is his first and only marriage. He has been with his wife for about 22 years, and has been married for 20. Jeff stated that there have not been any significant issues in the marriage. He has never had an affair, and neither has his wife. And, he stated there is no history of any separations, or of any major issues in the marriage. He stated he never had any long-term relationships, prior to this marriage, and he noted "I always felt I was stunted in that area, because of what

Mohler, Jeff

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happened...it took a long time before I had any courage" to even attempt to date. He noted it was his secretary, when he was 25, who "set me and my wife up...we liked each other, and that was it." Other than that, he had a girlfriend for a semester in law school, "and that was it."

With regards to family mental health, Mr. Mohler noted there is a family history of Asperger's Syndrome. He noted his brother has severe traits in this area, and he is receiving Social Security Disability for this. As well, his son has been diagnosed with Attention-Deficit/Hyperactivity Disorder. He is not aware of any other family history of mental health issues.

Medically, Jeff reported "I'm pretty much healthy as a horse." He has no history of major medical issues. He has no history of cardiovascular problems, and no history of gastrointestinal problems. He has no history of any head injuries, has never had a severe concussion, and has not been diagnosed with a traumatic brain injury. He has no history of seizures. He does not take any medications for medical reasons. Academically, Jeff reported he was in regular classes when he was in high school. He stated his grades were good. He also reported he has a graduate degree he obtained from law school, in 1993. He graduated with Dickinson Law School. He stated his grades in school were always good. He reported it was a 3-year-program.

Vocationally, Jeff reported he has been an attorney for the past 23 years. He worked, initially, for another law firm, Clymer and Conrad. He noted he did fairly well there, and he noted that he may be going back there. He noted his father-in-law is the senior partner at that firm. He stated he never had trouble getting clients, but there was constant turnover in staff, and he noted this was very frustrating, and "I ended up leaving." He noted that for the past 8 years he has had his own law firm. He works in a sole practice, in Real Estate law. He stated he primarily executes real estate closings, and a particular area he focuses in is investment property. His wife was, until recently, doing most of the bookkeeping, but more recently, he has staff specifically for this. He reported the law firm has been doing well. He also has a Real Estate Broker's license. He noted "I had a dynamite year this last year." He was expanding, and he purchased a new office suite, and moved into this renovated space this past month. He noted that he is now concerned about the future of the business, because he may be suspended from the bar, or even permanent disbarment.

With regards to his mental health, Jeff noted that there is a family history of Asperger's Syndrome, and he thinks he had some self-stimulatory behavior when younger. He stated he was never diagnosed with mental health disorder. However, there was a time when he was having sleep problems, about 2 to 3 years ago, and his PCP prescribe Restoril for this. He noted the problem resolved after 1 to 2 months. He stated he has no other mental health history. Legally, Jeff is currently facing discipline from the Bar Association, due to alleged impropriety with his firm's escrow account. And, there is a possibility he will be referred to law enforcement, following that, to be considered for criminal charges for the financial impropriety. He worries he may be facing prison time, but he does not have any idea of what that might entail. He states he never had a drug or

Mohler, Jeff

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alcohol problem. With regards to community activities, Jeff and his family attend church regularly at Community Bible church, and he noted they are members of that congregation. They have been members of this church for approximately 20 years. He does not have a leadership position in that church. He is not involved in any other community activities, and noted that "with 4 kids, and home school," he has a full plate.

### Evaluation Procedures

Review of Records

Clinical Interview

Behavioral Observations

Phone conversation with his attorney

Minnesota Multiphasic Personality Inventory – Second Edition (MMPI-2)

### Interview

#### **Behavioral Observations**

Jeff came to the current evaluation on his own. He presented as a casually dressed adult of average height and slightly above average weight for his age. His hygiene appeared to be good. He came into the evaluation without any difficulty. Attention was good, and he was not hyperactive. He spoke in a low, muted voice. Eye contact was good. Overall, it was thought that the results of the evaluation provided useful information.

#### **Mental Status Exam**

During the evaluation, Jeff was alert and oriented in all three spheres. His affect was restricted, and his mood appeared to be anxious. Thought processes appeared to be generally clear, logical, and goal-directed, and there was no evidence for loose associations, flight of ideas, or other signs of a formal thought disorder noted. Jeff denied that he has any homicidal ideation, but he has had fleeting thoughts of suicide, or that the "kids would be better off with the life insurance policy." He has never attempted suicide, and has no plan at this point. And, he is hopeful "that we'll get through it." He denies that he has any history of any true hallucinations. His intelligence was thought to be above average. Insight and judgment were thought to be average.

Mohler, Jeff

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**Emotional/Behavioral Functioning**

In order to assess Jeff's emotional and behavioral functioning, he was administered the MMPI-2, and also interviewed extensively. Below are the results:



MMPI-2  
 Minnesota Multiphasic Personality Inventory-2  
 Extended Score Report

Name:	Jeff Mohler
Age:	40
Gender:	Male
Date Assessed:	01/22/2016



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[K2/1/00]

ALWAYS LEARNING

PEARSON

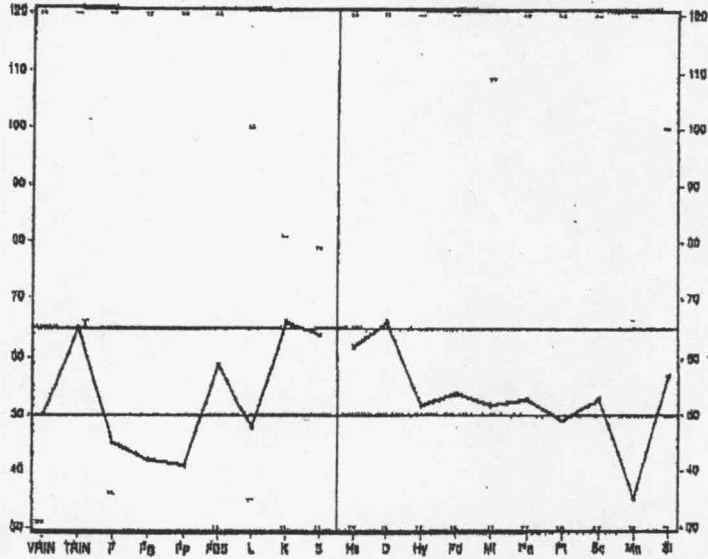
Mohler, Jeff

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MMPI-2 Detailed Report  
01/27/2016, Page 2

Jeff Mohler

MMPI-2 VALIDITY AND CLINICAL SCALES PROFILE



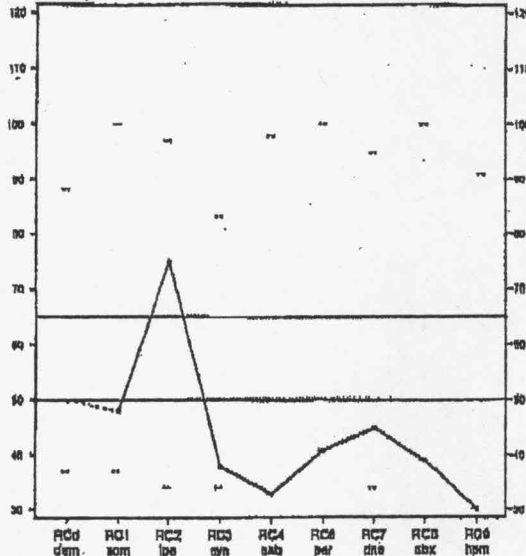
Raw Score:	5	11	5	0	0	15	8	28	37	5	25	22	16	27	11	3	5	7	31
K Correction:								12				6					28	20	6
T Score (Plotted):	50	65	45	42	41	59	48	68	64	62	68	62	64	62	63	49	53	35	57
Non-Condensed T Score:	50	65	45	42	42	58	48	67	64	60	64	58	58	58	53	48	53	36	58
Response %:	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Cannot Say (Raw):	0																		
F-K (Raw):																			-20
Valid Code:	2-1-0/553/7/9 K+-A,F																		
Percent True:	27																		
Percent False:	73																		
Profile Elevation:	58.0																		

The highest and lowest T scores possible on each scale are indicated by a "--".  
For information on FBS, see Dennerlein, Y. B., & Tolleger, A. (2006). The PUG: Current Status, a report on the Pearson web site ([www.pearsonassessments.com/valid/mmpi\\_2.htm](http://www.pearsonassessments.com/valid/mmpi_2.htm)).

Mohler, Jeff

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MMPI-2 RESTRUCTURED CLINICAL SCALES PROFILE



	RCd dem	RC1 som	RC2 lpe	RC3 cyn	RC4 asp	RC6 per	RC7 dte	RC8 sbx	RC9 hpn
Raw Score:	3	2	11	1	0	0	0	0	1
T Score (plotted):	30	40	75	38	33	41	45	39	28
Non-Gendered T Score:	49	47	78	58	54	48	44	39	28
Response %:	100	100	100	100	100	100	100	100	100

The highest and lowest T scores possible on each scale are indicated by a "-".

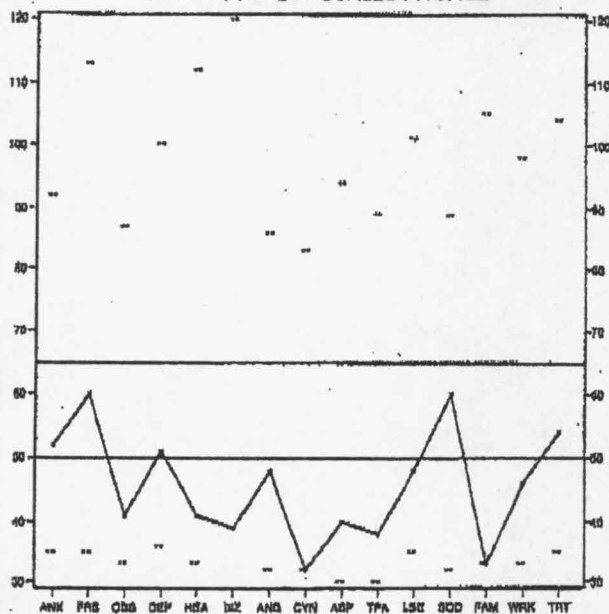
LEGEND		
dem = Demoralization	cyn = Cynicism	dte = Dysfunctional Negative Emotions
som = Somatic Complaints	asp = Antisocial Behavior	sbx = Aberrant Experiences
lpe = Low Positive Emotions	per = Ideas of Persecution	hpn = Hypomanic Activation

For information on the RC scales, see Talling, A., Ben-Porath, Y.S., McNulty, J.L., Ardsi, P.A., Graham, J.R., & Koppinger, B. 2000. The MMPI-2 Restructured Clinical (RC) Scales: Development, Validation, and Interpretation. Minneapolis: University of Minnesota Press.

MMPI-2 Extended Score Report  
01/22/2010, Page 5

Jeff Mohler

MMPI-2 CONTENT SCALES PROFILE



Raw Score:	6	7	2	4	2	0	5	0	3	3	3	13	0	5	8
T Score (plotted):	52	60	41	51	41	39	48	32	40	38	38	48	33	45	54
Non-Standard T Score:	50	55	41	40	40	39	48	32	41	38	48	60	33	45	54
Response %:	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

The highest and lowest T scores possible on each scale are indicated by a "\*".



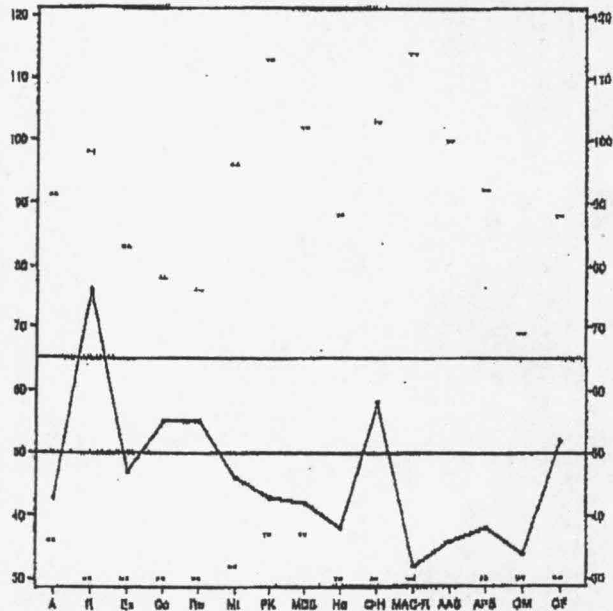
Mohler, Jeff

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MMPI-2 Extended Score Report  
 6/23/2016, Page 6

Jeff Mohler

### MMPI-2 SUPPLEMENTARY SCALES PROFILE

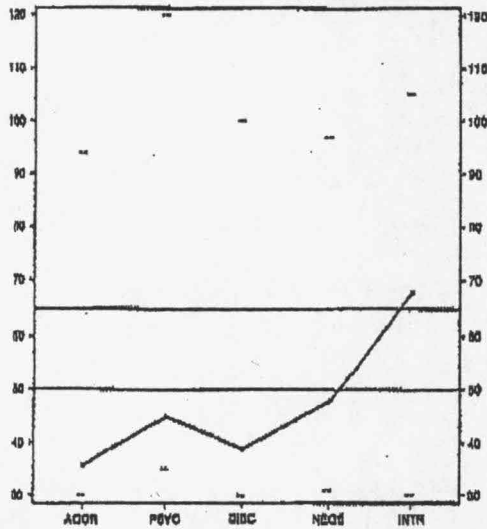


Raw Score:	5	27	38	18	22	9	4	1	8	16	13	0	19	30	29
T Score (plotted):	43	76	47	65	55	46	43	42	38	58	32	36	38	34	52
Non-Gendered T Score:	42	77	50	65	54	46	48	42	38	57	34	36	38		
Response %:	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

The highest and lowest T scores possible on each scale are indicated by a "\*".

MMPI-2 Extended User's Report  
 01/22/2016, Page 7 Jeff Mohler

### MMPI-2 PSY-5 SCALES PROFILE



	ACOR	PSYC	SIBC	NCOI	INTR
Raw Score:	0	2	9	8	18
T Score (plotted):	38	45	39	48	80
Non-Gendered T Score:	37	45	43	46	69
Response %:	100	100	100	100	100

The highest and lowest T scores possible on each scale are indicated by a "\*".

Mohler, Jeff

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MMPI-2 Unscaled Score Report  
01/22/2016, Page 8

Jeff Mohler

**ADDITIONAL SCALES**

(to be used as an aid in interpreting the parent scales)

	Raw Score	Non-Gendered		Resp %
		T Score	T Score	
<b>Harris-Lingoes Subscales</b>				
<b>Depression Subscales</b>				
Subjective Depression (D <sub>1</sub> )	11	61	59	100
Psychomotor Retardation (D <sub>2</sub> )	9	70	69	100
Physical Malfunctioning (D <sub>3</sub> )	5	67	65	100
Mental Dullness (D <sub>4</sub> )	4	58	57	100
Brooding (D <sub>5</sub> )	1	45	44	100
<b>Hysteria Subscales</b>				
Denial of Social Anxiety (Hy <sub>1</sub> )	2	40	40	100
Need for Affection (Hy <sub>2</sub> )	11	57	67	100
Lapsatic-Minisc (Hy <sub>3</sub> )	2	48	47	100
Somatic Complaints (Hy <sub>4</sub> )	3	52	51	100
Inhibition of Aggression (Hy <sub>5</sub> )	2	40	39	100
<b>Psychopathic Deviate Subscales</b>				
Parental Discord (Pd <sub>1</sub> )	1	45	44	100
Authority Problems (Pd <sub>2</sub> )	3	47	50	100
Social Imperturbability (Pd <sub>3</sub> )	4	51	52	100
Social Alienation (Pd <sub>4</sub> )	2	40	39	100
Self-Alienation (Pd <sub>5</sub> )	2	43	43	100
<b>Paranoia Subscales</b>				
Persecutory Ideas (Pa <sub>1</sub> )	1	46	46	100
Polgnaney (Pa <sub>2</sub> )	1	41	40	100
Naivete (Pa <sub>3</sub> )	8	65	65	100
<b>Schizophrenia Subscales</b>				
Social Alienation (Sc <sub>1</sub> )	2	47	46	100
Emotional Alienation (Sc <sub>2</sub> )	1	50	49	100
Lack of Ego Mastery, Cognitive (Sc <sub>3</sub> )	1	48	49	100
Lack of Ego Mastery, Cognitive (Sc <sub>4</sub> )	2	49	49	100
Lack of Ego Mastery, Defective Inhibition (Sc <sub>5</sub> )	0	40	40	100
Bizarre Sensory Experiences (Sc <sub>6</sub> )	0	41	41	100
<b>Hypomania Subscales</b>				
Amorality (Ma <sub>1</sub> )	2	50	52	100
Psychomotor Acceleration (Ma <sub>2</sub> )	1	30	30	100
Imperturbability (Ma <sub>3</sub> )	4	53	54	100
Ego Inflation (Ma <sub>4</sub> )	0	30	31	100
<b>Social Introversion Subscales</b>				
Shyness/Self-Consciousness (Si <sub>1</sub> )	7	56	55	100
Social Avoidance (Si <sub>2</sub> )	6	62	64	100
Alienation--Self and Others (Si <sub>3</sub> )	2	41	41	100

Mohler, Jeff

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MMPI-2 Extended Score Report  
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Jeff Mohler

Content Component Scales	Raw Score	Non-Gendered		Resp %
		T Score	T Score	
<b>Fears Subscales</b>				
Generalized Fearfulness (FRS <sub>1</sub> )	2	62	58	100
Multiple Fears (FRS <sub>2</sub> )	5	59	54	100
<b>Depression Subscales</b>				
Lack of Drive (DEP <sub>1</sub> )	2	51	51	100
Dysphoria (DEP <sub>2</sub> )	1	50	48	100
Self-Depreciation (DEP <sub>3</sub> )	0	41	41	100
Suicidal Ideation (DEP <sub>4</sub> )	0	45	46	100
<b>Health Concerns Subscales</b>				
Gastrointestinal Symptoms (HEA <sub>1</sub> )	1	57	55	100
Neurological Symptoms (HEA <sub>2</sub> )	0	40	40	100
General Health Concerns (HEA <sub>3</sub> )	0	40	41	100
<b>Bizarre Mentation Subscales</b>				
Psychotic Symptomatology (BIZ <sub>1</sub> )	0	44	44	100
Schizotypal Characteristics (BIZ <sub>2</sub> )	0	41	41	100
<b>Anger Subscales</b>				
Explosive Behavior (ANG <sub>1</sub> )	0	39	39	100
Irritability (ANG <sub>2</sub> )	4	56	56	100
<b>Cynicism Subscales</b>				
Misanthropic Beliefs (CYN <sub>1</sub> )	0	33	34	100
Interpersonal Suspiciousness (CYN <sub>2</sub> )	0	34	35	100
<b>Antisocial Practices Subscales</b>				
Antisocial Attitudes (ASP <sub>1</sub> )	3	40	42	100
Antisocial Behavior (ASP <sub>2</sub> )	0	38	41	100
<b>Type A Subscales</b>				
Impatience (TPA <sub>1</sub> )	0	34	34	100
Competitive Drive (TPA <sub>2</sub> )	1	39	39	100
<b>Low Self-Esteem Subscales</b>				
Self-Doubt (LSE <sub>1</sub> )	2	49	49	100
Submissiveness (LSE <sub>2</sub> )	1	48	47	100
<b>Social Discomfort Subscales</b>				
Introversion (SOD <sub>1</sub> )	10	65	67	100
Shyness (SOD <sub>2</sub> )	2	47	46	100
<b>Family Problems Subscales</b>				
Family Discord (FAM <sub>1</sub> )	0	35	35	100
Familial Alienation (FAM <sub>2</sub> )	0	40	41	100

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MMPI-2 Elevated Score Report  
 6106962919, Page 10 Jeff Mohler

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Negative Treatment Indicators Subscale	Raw Score	Non-Gendered		Resp %
		T Score	T Score	
Low Motivation (TRT <sub>1</sub> )	4	66	64	100
Inability to Disclose (TRT <sub>2</sub> )	1	45	46	100

Uniform T scores are used for Hs, D, Hy, Pd, Pa, Pt, Sc, Ma, the content scales, the content component scales, and the PSY-5 scales. The remaining scales and subscales use linear T scores.

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MMP-2 Extended Score Report  
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Jeff Mohler

**OMITTED ITEMS**

Those items for which there is no response or for which both true and false responses have been entered are considered "omitted." The potential for lowering the elevation of individual scales or the overall profile and rendering the administration invalid increases with the number of omitted items. Defensiveness, confusion, carelessness, and indecision are among the common reasons for omitting items. Examination of the content of the items that were omitted by the respondent may reveal specific problem areas or suggest reasons for their not responding appropriately to all items. Following are the items that were omitted:

None omitted.

**CRITICAL ITEMS**

The MMP-2 contains a number of items whose content may indicate the presence of psychological problems when endorsed in the deviant direction. These "critical items," developed for use in clinical settings, may provide an additional source of hypotheses about the respondent. However, caution should be used in interpreting critical items since responses to single items are very unreliable and should not be treated as scores on full-length scales -- for example, an individual could easily mismark or misunderstand a single item and not intend the answer given. The content of the items and the possibility of misinterpretation make it important to keep the test results strictly confidential. Special caution should be exercised when interpreting these items in nonclinical settings.

**Acute Anxiety State (Koss-Butcher Critical Items)**

15. I work under a great deal of tension. (True)

**Depressed Suicidal Ideation (Koss-Butcher Critical Items)**

71. These days I find it hard not to give up hope of amounting to something. (True)

388. I very seldom have spells of the blues. (False)

**Mental Confusion (Koss-Butcher Critical Items)**

31. I find it hard to keep my mind on a task or job. (True)

**Antisocial Attitude (Lachar-Wrobel Critical Items)**

227. I don't blame people for trying to grab everything they can get in this world. (True)

**Somatic Symptoms (Lachar-Wrobel Critical Items)**

464. I feel tired a good deal of the time. (True)

**Sexual Concern and Deviation (Lachar-Wrobel Critical Items)**

121. I have never indulged in any unusual sex practices. (False)

**Anxiety and Tension (Lachar-Wrobel Critical Items)**

15. I work under a great deal of tension. (True)

261. I have very few fears compared to my friends. (False)

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As can be seen by his MMPI-2 profile, Jeff was mildly defensive, based on his scores on the validity scales. He seemed to favor a 'true' response more than a 'false' response, but that tendency was not so pronounced as to invalidate the clinical profiles. And, he engaged in some impression management, noted in his slightly elevated K scale, but again, this was not so pronounced as to invalidate the clinical profiles. Jeff had a mild 1-2 profile, on the basic MMPI-2 clinical scales, which suggests he may react to stress with physical symptoms, and in particular, gastrointestinal symptoms. However, Jeff denied any such symptoms, in the clinical interview. It is possible he is struggling with feelings of unhappiness, brooding, and loss of initiative. Related to this, he obtained a very high elevation on a scale measuring low positive emotions. He may be feeling anxious, tense, and nervous. Oftentimes, individuals with this profile are high-strung and tend to worry quite a bit, resulting in feelings of restlessness and irritability. And, they often tend to be very self-conscious, and introverted and shy in social situations. He obtained a high score on the INTR scale of the PSY-5 scales, supporting the conclusion he has a tendency towards introversion. He may harbor many self-doubts, may be hypersensitive to the reactions of others, and may be suspicious and untrusting in interpersonal relationships. And, he may be passive-dependent in his relationships with others, and in particular, with those he is closest to, and may harbor anger and hostility towards those he views as disappointing his need for attention and support. His score of 67 on the Need for Affection subscale of the Hysteria Subscales seems to highlight that strong need for affection. His high R score, on the Supplementary Scales profile, seemed consistent with the conceptualization of a passive/submissive individual, even though this seems hard to conceptualize, given his success as an attorney. Jeff stated, interestingly, that he wonders if he is too gullible, and he noted that his business partner has told him he is too nice. He stated he is unable to say no to people who want something from him. And, he had a slight spike on a scale, related to this, suggesting he has some over-repressed hostility. And, he had a slight elevation on the Generalized Fearfulness subscale of the Fears subscale, which may suggest he struggles with anxiety. There is the possibility that this anxiety frustrates him, and that he attempts to address this through energizing himself against the anxiety, perhaps to a point that he over-corrects and 'kills' anxiety that is appropriately placed.

In the clinical interview, it was revealed that a predominant area of difficulty for Jeff involves his current legal situation. He is facing legal issues, including the possible/probable suspension of his license, or even loss of his license to practice law, due to allegations he was engaging in embezzlement with his client's funds. Jeff reported that, after he went out on his own as an attorney, he began to handle his escrow accounts in questionable ways. He noted that another individual needed money to purchase a home, and as he did not have it personally, he took the money out of the escrow account from his firm, and then replaced the money when the person repaid him. And, then, he needed money to purchase a property, and he borrowed the money from the account, and then sold the property, and replaced the money. As well, he noted that there were tax refunds sent for various properties, and rather than direct the money to the proper individual, he pocketed the proceeds. He estimated this was around \$12K. And, he noted that there have been other instances, since then, when he borrowed from the escrow

Mohler, Jeff

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account. He stated he stopped doing this in 2010, although his attorney asserted that it was 2015.

Now, Jeff reports he is struggling with significant anxiety and worry, as well as depression, related to his legal situation. He noted that he feels as if he has the "sword of Damocles" hanging over him, at this point. He was hoping that January would be a better month than he has had, and had hoped that he would be able to save up some money to cover himself, during this difficult time. And, he noted that he has money tied up in rental properties, and he is concerned that the banks could call in their loans, if they were so inclined, and he would be facing financial ruin. And, he also is concerned about his vocational future, as there is the possibility he could be suspended or disbarred. He is in the process of selling his practice, and is planning on returning to work in some capacity at his father-in-laws' practice.

Jeff noted that he has had issues with depression since the legal issues came to the fore. He noted he has lost about 7 pounds in the 1½ weeks. He has a "total lack of appetite." His mind has been racing, with all of the possible outcomes to this situation. He has not been crying "that much," though when his son asked what happened, "I started crying." He has also had significant difficulty with regards to sleep. He noted that for the first five days, after this came out, he maybe had 3 to 4 hours of sleep. He noted that the last night was better. He stated he does not have any nightmares. He has been struggling with regrets for what he has done. He has been struggling with motivation, and he noted "the wind has been taken out of my sails, and I'm kinda going through the motions there." He stated "I find myself thinking about this, and not working as hard." As such, he has had issues with concentration. He also noted "my sex drive disappeared." This is the first time in his life he has had such issues.

It is noted that Jeff, and his wife, have wondered if his behavior, in terms of the misuse of client funds, had it's root in the sexual abuse he endured as a teenager. In terms of the past sexual behavior, when he was a child, Jeff noted that the relationship, at the time, was consensual, to the extent that a teenager can consent to sexual activity with an older male. He noted that the relationship started off innocently enough, with the older male suggesting they be friends because of their shared interest in autographs. Slowly, over time, that individual introduced sexual talk into their conversations, and then, from there, suggested Jeff engage in certain sexual behavior, couching it in terms of trust-building. Jeff was slowly drawn into a more and more problematic situation. When asked by others about his attention to that male, he learned to provide explanations or rationalizations that turned attention away from that situation. His parents, by his report, were preoccupied with their own issues, and did not pay much attention to the situation, and were easily satisfied by his explanations. Jeff also noted that he warned his brother, during the time that the relationship was going on with that older male, not to go over to that individuals' house. He told his brother "I can't tell you why, but don't go," as he was concerned that individual would seduce his brother, as well. In the final analysis, it seems Jeff learned to lead a double life, wherein he was secretly having a relationship with that older male, and was successful in preventing anyone from learning of this.



Mohler, Jeff

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Jeff noted that he wondered, after that situation, if he was straight, or gay. He noted that he was always attracted to girls, but then, he had engaged in that behavior, so he wondered about his sexuality. However, he stated that he is not gay. He noted that one of the primary issues, related to that, was that he only had one girlfriend after that. And, he noted he was terrified of AIDS, but he never went to get an AIDS test. He stated the past has not affected his sexual performance, and he and his wife have a typical sex life. He does not have nightmares about the past, and he stated "I always thought everything was ancient history." He has a lot of shame about the sexual behavior when he was younger, and he noted he has only told 3 people in his life about this. And, he noted that the first two times he talked about it, he started crying. He stated that this time around, "it doesn't hurt as bad." He stated "I just wish it wouldn't happen...it destroyed a lot of years in my life...a lot of guilt, a lot of wondering...I should have said no, I was partly probably curious, but at the same time, I wanted a friend, you know, somebody that was intellectually on my level, and we enjoyed the same things."

Jeff noted that his wife commented to him, since the information came out about the financial impropriety, that it was like finding out about an affair. However, he stated "we both take our marriage vows very seriously," and he noted that she is staying by his side. He stated that they both come from strong families on both sides, and that they are committed to remaining together. He stated that he is not aware of any significant issues in the marriage, related to this.

In terms of any sexual inclinations, or sexual behavior outside of his relations with his wife, Jeff stated that there are times he looks at porn, though "nothing crazy." He stated he likes to look at straight and lesbian women, on the internet. He noted his wife does not like this. He stated this occurs maybe once a week. He never sought out any type of assistance in addressing this. He noted that it is encouraged, at his church, to reveal such information, but he was too embarrassed, and "I didn't see it as controlling my life." He stated that there has not been any other sexual issues.

With regards to his legal history, Jeff stated "I've never been in trouble." He has no history of behavioral issues when he was a child, and he has not had any legal issues as an adult. He has no history of any DUI's, and has had nothing other than some minor traffic offenses. He noted that his attorney for this case asked him what would have caused him to engage in this impropriety, given that Jeff was well-off financially and was doing well in his practice. He noted that, in addition to his other infractions, he was involved with another individual, in another situation, in which he worked to assist that person in reversing the damage caused by their having engaged in questionable transactions. He did not charge that individual anything, as he was just doing this to help out the other person.

With regards to substance use/abuse, Jeff stated "I've never done drugs, and I drink only very occasionally." There was no information to suggest there were any additional concerns in this area.

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### Diagnostic Impressions

Jeff presents as a middle-aged married male, who is an attorney with his own law firm, and who has four children. He has come to the attention of the Bar due to concerns he had misappropriated funds from escrow accounts he controlled, and that he also kept funds intended for his clients. This alleged behavior occurred over a number of years, ending, by his report, in 2010. He reports being devastated by the potential fallout from this misbehavior, which could include disbarment, as well as suspension of his license, or loss of his license to practice law. He has been struggling with symptoms of anxiety and depression, related to this situation. His wife is standing firm with him, by his report, but he is worried about the havoc this could wreak, professionally, and personally, including the devastation to his family. He has not been sleeping well, has had issues with his appetite, has had issues with motivation, and has not been able to concentrate well. And, he has had obsessive thoughts about the situation and the repercussions, and has been struggling with constant feelings of anxiety. And, he has struggled with strong feelings of regret.

This situation has also caused issues from long ago to resurface. Jeff was sexually molested as a teenager, in a situation in which he consensually agreed to sexual behavior with an older male who groomed him over a long period of time. He learned, in the process of being involved in that situation, to lead a 'double life,' successfully keeping others from knowing of the situation despite the fact that it went on for years. He struggled for years with questions about his sexuality, though he had thought he put those fears to rest years ago. Now, having engaged in financial impropriety, the question has been raised as to whether or not the sexual molestation 'taught' him the skill of leading a double life, which perhaps made it casier for him to be sucked into the current situation.

At this point, diagnoses of Adjustment Disorder With Mixed Anxiety and Depressed Mood, as well as Child Sexual Abuse, Confirmed, Victim, By history, will be assigned. Specific diagnoses and recommendations follow.

### Diagnoses

Axis I	T74.22A	Child Sexual Abuse, Confirmed, By History.
	F43.23	Adjustment Disorder with Mixed Anxiety and Depressed Mood

### Conclusion and Recommendations

The main point of this evaluation was to determine the nature of any psychological issues that may have been involved in Jeff's mishandling of client funds over a number of years. There is a working theory that the shame and guilt he coped with while being sexually molested as a teenager caused him to develop a double life, and that 'training' made it easier for him to engage in the mishandling of client funds, because he was already

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accustomed to covering up controversial behavior. Stated another way, he may have become desensitized to the typical warning signs that one is venturing into controversial territory, beginning with the sexual molestation. Or, stated another way, he may have become accustomed to using rationalizations to maintain his emotional equilibrium during the time he was involved in a situation that caused him shame, and then, having developed that 'skill,' it was easier for him to use rationalizations to protect himself from the initial thoughts and emotions he likely had with regards to his more recent behavior.

Also, it is likely that his shame over the past may have lowered his self-esteem, which in turn may have caused him to have a weaker defense against immoral behavior, and he may have been convinced there was no point to attempt to follow a more moral path, because he had already engaged in immoral behavior in the past. Also, it seems he has some passive tendencies to his personality, and a need to please others, and this psychologist suspects he was initially drawn into this situation by another, either directly or indirectly, and it may well be that, when he had a fit of conscience over this, he rationalized continuation of the behavior as being necessary in order to not harm the other person. It is noted that the distress he is experiencing now may be, in part, his realization that the rationalizations he used to protect himself from his conscience were ultimately destructive, and his realization that these self-destructive rationalizations are firmly embedded in his psyche.

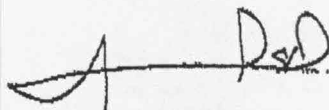
- 1) In order to address Jeff's errors in judgment, and the rationalizations he has presumably constructed in order to protect himself from shame or doubt, it will be important to begin a therapeutic process in which he becomes acutely aware of the steps he took, in his thinking, to arrive at his current position, so that he can begin to unravel that thinking, and insert less destructive thinking in its place. And, it would be helpful for Jeff to work through his feelings of shame and self-doubt related to the past sexual molestation, as this is his 'Achilles heel' and will continue to affect him if not dealt with. Also, given his apparent weakness in setting boundaries with others, and his sometimes self-destructive push to please others, it seems important to address this and for Jeff to develop more skill in preventing such influence in the future. This process, which will require participation in therapy, may require 20 to 30 sessions to begin to take hold, and will require a skilled therapist who understands how he reached the point he did, and who understands how to help in such situations. It is suggested that therapy be discontinued when he is able to demonstrate permanent changes in his thinking, in regards to such situations, and is able to explain how he would prevent future incidents of this nature from occurring.
- 2) Monitoring by the appropriate entity, in order to insure compliance with treatment recommendations, and to prevent recidivism, is suggested. It is recommended that Jeff follow all of the recommendations or directives made by the Bar, in regards to his situation, and that he give permission for the therapist to communicate with the Bar regarding his response to therapy.

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- 3) It is suggested that Jeff be re-evaluated towards the end of his therapy requirement, in order to assess his improvement and to determine if the basic goals have been met.

Respectfully Submitted,



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Jonathan M. Gransee, Psy. D.  
Licensed Psychologist  
Lic # PS-015106

January 28<sup>th</sup>, 2016  
Date

**Jonathan M. Gransee, Psy.D. & Associates, P.C.**

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Consulting - Evaluations - Therapy

To Whom It May Concern:

05/18/17

Re: Jeffrey Mohler

Jeffrey Mohler was evaluated by this psychologist on 1/22/16, and then proceeded to participate in therapy sessions from February, 2016, until December, 2016. During this time, he participated in 26 individual sessions, lasting a minimum of 50 minutes each time. The therapy focused on the accusations of improper use of client funds, and on the possible psychological influences on this matter. Jeffrey worked hard to identify possible underlying influences, including the possible influence of being taken advantage of, sexually, as an adolescent, by an older male, and the possibility of problems with assertiveness, as well as the possibility of emotional difficulties. He was an exceptional client who made excellent progress in developing insight and more advanced coping skills, and by the end of his therapy, he seemed to have more assertive, more certain of his thoughts and feelings, and much less inclined to make decisions that might lead him to repeat his past misuse of client funds. At this point, there are no further recommendations for treatment.

Please feel free to contact me at (717) 413-3130 should there be any additional questions.

Respectfully Submitted,



Jonathan M. Gransee, Psy. D.  
Licensed Psychologist  
Lic # PS-015106

May 18<sup>th</sup>, 2017

Date