

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1252 Disciplinary Docket No. 3
Petitioner :
 : No. 189 DB 2006
v. :
 :
 : Attorney Registration No. 44049
LAWRENCE E. ANDREWS, :
Respondent : (Out of State)

ORDER

PER CURIAM:

AND NOW, this 30th day of May, 2007, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated March 27, 2007, the Joint Petition in Support of Discipline on Consent is hereby granted pursuant to Rule 215(g), Pa.R.D.E., and it is

ORDERED that Lawrence E. Andrews is suspended on consent from the Bar of this Commonwealth for a period of two years, and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola

As of: May 30, 2007

Attest:

Chief Clerk

Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA


OFFICE OF DISCIPLINARY COUNSEL : No. 189 DB 2006
Petitioner :
 :
v. : Attorney Registration No. 44049
 :
LAWRENCE E. ANDREWS :
Respondent : (Out of State)

RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members Mark S. Baer, Donald E. Wright, Jr., and William A. Pietragallo, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on December 21, 2006.

The Panel approves the Joint Petition consenting to a Two Year Suspension and recommends to the Supreme Court of Pennsylvania that the attached Petition be Granted.

The Panel further recommends that any necessary expenses incurred in the investigation and prosecution of this matter shall be paid by the respondent-attorney as a condition to the grant of the Petition.



Mark S. Baer, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: March 27, 2007

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : 189 DB 2006
Petitioner :
:
: C1-05-1210; C1-06-299
v. :
: Atty. Reg. No. 44049
LAWRENCE E. ANDREWS, :
Respondent: (OUT OF STATE)

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

Petitioner, Office of Disciplinary Counsel ("ODC"), by Paul J. Killion, Chief Disciplinary Counsel, and Harriet R. Brumberg, Disciplinary Counsel, and Respondent, Lawrence E. Andrews, and Samuel C. Stretton, Esquire, Respondent's counsel, file this Joint Petition In Support of Discipline on Consent under Pennsylvania Rule of Disciplinary Enforcement (Pa.R.D.E.) 215(d), and respectfully represent that:

I. BACKGROUND

1. Petitioner, whose principal office is situated at Suite 1400, 200 North Third Street, Harrisburg, Pennsylvania, is invested, pursuant to Pa.R.D.E. 207, with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law

FILED

DEC 21 2006

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

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, Lawrence E. Andrews, was born on December 11, 1956, and was admitted to practice law in the Commonwealth on November 6, 1985.

3. Respondent maintained an office for the practice of law at United States Environmental Protection Agency Region 6 (hereinafter "EPA"), 1445 Ross Avenue, Dallas, Texas 75202.

4. Pursuant to Pa.R.D.E. 201(a)(1), Respondent is subject to the disciplinary jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

II. PROCEDURAL HISTORY

5. On April 4, 2006, ODC served Respondent with a DB-7 Request for Statement of Respondent's Position. Respondent submitted an Answer on April 20, 2006.

6. On April 24, 2006, ODC served Respondent with a DB-7A; on May 3, 2006, Respondent submitted an Answer to the DB-7A.

7. On August 4, 2006, ODC served Respondent with a DB-7AA; on August 17, 2006, Respondent submitted an Answer to the DB-7AA.

III. FACTUAL ADMISSIONS AND
VIOLATIONS OF RULES OF PROFESSIONAL CONDUCT

8. Respondent specifically admits to the truth of the factual allegations and conclusions of law contained in paragraphs 1 through 55.

Charge I: Unauthorized Practice of Law

9. On or about November 6, 1985, Respondent was admitted to practice law in the Commonwealth of Pennsylvania.

10. In or about November 1985, Respondent began employment as an attorney with the United States Environmental Protection Agency (EPA), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

11. From November 1985 through the present, EPA classified Respondent as an attorney under Office of Personnel Management (OPM) GS-0905 series.

a. Attorneys classified under OPM GS-0905 series are required to be "active" members of a state bar.

12. From November 1985 to April 1991, Respondent was employed as an Attorney/Advisor and Respondent's employment responsibilities included:

- a. administrative enforcement of Title II of the Clean Air Act as it applied to the regulation of fuels and additives; and
- b. enforcement of automobile emission control device tampering provisions of the Clean Air Act.

13. In a letter dated February 17, 2006, from Respondent to Office of Disciplinary Counsel, Respondent:

- a. stated that during the "mid 80's," Respondent sought a way "to minimize the expenses associated with bar dues and CLE credits"; and
- b. explained that Respondent had sent a letter to the Pennsylvania Bar stating that since he was not practicing or residing in the state, Respondent "requested deferment of the requirements."

14. By Order dated On March 29, 1988, effective April 29, 1988, the Supreme Court of Pennsylvania transferred Respondent to inactive status.

15. Upon being transferred to inactive status, Respondent failed to notify, by registered or certified mail, return receipt requested, all:

- a. clients being represented in pending matters of Respondent's transfer to inactive status and the consequent inability to act as an attorney;
- b. clients involved in pending litigation or administrative proceedings, and the attorney for each adverse party in such matter, of Respondent's transfer to inactive status and consequent inability to act as an attorney; and
- c. other persons with whom Respondent may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that Respondent continued to be an attorney in good standing.

16. During the time that Respondent has been on inactive status, Respondent failed to provide notice to other persons with whom Respondent may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that Respondent continued to be an attorney in good standing.

17. By Memorandum dated January 11, 1991, from E. Donald Elliott, Assistant Administrator and General Counsel, EPA, to all EPA Attorneys, regarding Requirement for Active Bar Membership, Mr. Elliott wrote:

The purpose of this Memorandum is to remind everyone that active bar membership in at least one jurisdiction is a condition of employment as an excepted service Schedule A Government attorney.

Appendix A to Chapter 213 of the Federal Personnel Manual, paragraph A-3(d) states:

[O]nly professional legal positions having duties that require admission to the bar are attorney positions. Admission to the bar means that a person is licensed and authorized to practice as an attorney under the laws of a State, Territory, the District of Columbia, the Commonwealth of Puerto Rico, or the Commonwealth of the Northern Mariana Islands....¹

A person who does not maintain active Bar Membership cannot lawfully be employed as a Schedule A "excepted service" attorney. You should therefore ensure that your Bar membership is current and that you are not in an "inactive" status.

¹ We have confirmed with the Office of Personnel Management that OPM interprets "licensed and authorized to practice as an attorney" as requiring active bar membership.

18. Respondent received this memorandum.

19. Respondent failed to promptly apply to Pennsylvania for Reinstatement to Active status.

20. Respondent is not a member of any other State or Federal bar.

21. In April 1991, Respondent transferred from EPA's office in Washington, D.C. to EPA's regional office in Dallas, Texas.

22. From April 1991 to July 1995, Respondent was employed as an Assistant Regional Counsel and Respondent's responsibilities included:

- a. civil and administrative enforcement of the Clean Air Act, Toxic Substances Control Act, Federal Insecticide, Fungicide, and Rodenticide Act, and Emergency Planning and Community Right-to-Know Act;
- b. initiating enforcement actions through issuance of Administrative Complaints and civil referrals to the Department of Justice; and
- c. negotiating settlements of enforcement actions.

23. From July 1995 through August 1997, Respondent was employed as Chief, Multimedia Counseling Branch, and Respondent's responsibilities included:

- a. managing a staff of twelve attorneys regarding the interpretation and

implementation of federal law, including environmental statutes and federal administrative regulations applicable to EPA;

- b. advising and assisting Regional Managers, supervisors, and staff in drafting and issuing permits under all environmental statutes; and
- c. advising and assisting the Regional Administrator, Regional Counsel, and all Regional Managers, supervisors, and staff in defending EPA against lawsuits.

24. From August 1997 to present, Respondent has been employed as Deputy Regional Counsel, and Respondent's employment responsibilities include:

- a. full responsibility for management and direction of assistance agreements, human resources, and office administration;
- b. defensive litigation and counseling activities; and
- c. coordination of activities with Office of Regional Counsel.

25. As an agency attorney, Respondent has been a member of a litigation team in which Respondent helped

develop strategies, and draft, review and comment on documents.

26. From April 1991, through December 8, 2005, Respondent engaged in the practice of law in Texas, in that Respondent:

- a. prepared pleadings or other documents incident to an action;
- b. participated in the management of a legal action;
- c. provided legal advice; and
- d. rendered services requiring the use of legal skills or knowledge.

27. From April 1991 through December 8, 2005, Respondent engaged in the practice of law in Texas, when Respondent was on inactive status in Pennsylvania and not admitted to practice in any other jurisdiction.

28. From April 1991 through December 8, 2005, Respondent held himself out as a lawyer in Texas, currently licensed to practice law in another state, and in good standing with that state bar or licensing authority of that state.

29. Respondent practiced law in a jurisdiction in violation of the regulations of the legal profession in

that jurisdiction, including T.D.R.P.C. 8.04(a)(11). A true and correct copy of which is attached as "Appendix A."

30. On November 16, 2005, Respondent filed with the Disciplinary Board of the Supreme Court of Pennsylvania a Petition for Reinstatement from Inactive Status and a Request for Waiver of Requirements of Section 89.279 of the Disciplinary Board Rules.

31. By Order dated December 1, 2005, the Disciplinary Board denied Respondent's request for a waiver of Continuing Legal Education requirements because Respondent had not taken any accredited courses in Pennsylvania law within one year preceding the filing of Respondent's petition.

32. On December 8, 2005, the Office of General Counsel, United States Environmental Protection Agency, placed Respondent on administrative leave from Respondent's position as Deputy Regional Counsel.

33. On January 20, 2006, Respondent filed another Petition for Reinstatement from Inactive Status with the Disciplinary Board of Pennsylvania.

34. In Respondent's answer to question 21 of the Special Reinstatement Questionnaire, Respondent wrote, in pertinent part, that:

...Over my twenty year career, I have represented EPA in numerous administrative and judicial proceedings litigated before Federal District Courts and U.S. Courts of Appeals under the statutes mentioned above. I have also successfully represented the Region in numerous proceedings before the U.S. Equal Opportunity Commission and the U.S. Merit Systems Protection Board.

35. Respondent's answer to question 21 was misleading in that Respondent gave the false impression that Respondent was EPA's attorney litigating matters before the federal courts.

36. By letter dated February 9, 2006, Office of Disciplinary Counsel requested information from Respondent regarding Respondent's "representation" of EPA.

37. By letter dated February 17, 2006, Respondent wrote in paragraph 4, in pertinent part, that:

....with respect to all proceedings before Federal District Courts and U.S. Courts of Appeals, the EPA is represented by attorneys from the U.S. Department of Justice who are the attorneys of record in the matters. Agency attorneys "represent" the Agency on a litigation team comprised of legal and technical personnel.... All trials and oral arguments before the district and appellate courts are also conducted by DOJ attorneys.

38. At that time Respondent filed Respondent's Special Reinstatement Questionnaire, Respondent was under investigation by EPA's Office of Inspector General.

39. Respondent knew that he was under investigation by EPA's Office of Inspector General.

40. Question number 13 of the Special Reinstatement Questionnaire asks, "Are you currently the subject of any investigation by any law enforcement agency?"

a. Respondent answered "No" to this question.

41. Respondent's answer to question number 13 was knowingly false.

42. In Respondent's letter dated March 14, 2006, to ODC, Respondent describes his job responsibilities from "August 1997-Present-Dallas, TX", as being:

Responsible for full delegated authority and continuing responsibility for management and direction of assistance agreements, human resources, including equal employment opportunity and general personnel counseling, general Regional Counsel office administration including budget and resource management, defensive litigation and counseling activities requiring coordination with the Office of General Counsel.

43. Respondent's letter of March 14, 2006, describing Respondent's "present" job responsibilities fails to

disclose to ODC that Respondent was placed on administrative leave as of December 8, 2005.

44. Respondent's March 14, 2006, letter to ODC was knowingly false and misleading in that Respondent was not responsible for the above-described matters after December 8, 2005.

45. By his conduct, Respondent violated the following Rules:

- a. Pa.R.P.C. 5.5(a), which states that a lawyer shall not practice law in a jurisdiction in violation of the regulation of the legal profession in that jurisdiction, or assist another in doing so;
- b. Pa.R.P.C. 8.1(a), which states that an applicant for admission to the bar, or a lawyer in connection with a bar admission application or in connection with a disciplinary matter, shall not knowingly make a false statement of material fact;
- c. Pa.R.P.C. 8.4(c), which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

d. Pa.R.D.E. 217(a), which states that a formerly admitted attorney shall promptly notify, or cause to be notified, by registered or certified mail, return receipt requested, all clients being represented in pending matters, other than litigation or administrative proceedings, of the disbarment, suspension or transfer to inactive status and the consequent inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension or transfer to inactive status and shall advise said clients to seek legal advice elsewhere;

e. Pa.R.D.E. 217(b), which states that a formerly admitted attorney shall promptly notify, or cause to be notified, by registered or certified mail, return receipt requested, all clients who are involved in pending litigation or administrative proceedings, and the attorney or attorneys for each adverse party in such matter or proceeding, of the disbarment, suspension or transfer to inactive status and consequent

inability of the formerly admitted attorney to act as an attorney after the effective date of the disbarment, suspension or transfer to inactive status. The notice to be given to the client shall advise the prompt substitution of another attorney or attorneys in place of the formerly admitted attorney. In the event the client does not obtain substitute counsel before the effective date of the disbarment, suspension or transfer to status, it shall be the responsibility of the formerly admitted attorney to move in the court or agency in which the proceeding is pending for leave to withdraw. The notice to be given to the attorney or attorneys for an adverse party shall state the place of residence of the client of the formerly admitted attorney.

- f. Pa.R.D.E. 217(c)(2), which states that a formerly admitted attorney shall promptly notify, or cause to be notified, of the disbarment, suspension or transfer to inactive status, by registered or certified mail, return receipt requested: (2) all

other persons with whom the formerly admitted attorney may at any time expect to have professional contacts under circumstances where there is a reasonable probability that they may infer that he or she continues as an attorney in good standing;

- g. Pa.R.D.E. 217(d)(1), which states that Orders imposing suspension, disbarment or transfer to inactive status shall be effective 30 days after entry. The formerly admitted attorney, after entry of the disbarment, suspension or transfer to inactive status order, shall not accept any new retainer or engage as attorney for another in any new case or legal matter of any nature. However, during the period from the entry date of the order and its effective date the formerly admitted attorney may wind up and complete, on behalf of any client, all matters which were pending on the entry date;

h. Via former Pa.R.P.C. 8.5(b)(2)(1) and Pa.R.P.C. 8.5(b)(2)(effective 5/15/04),

Choice of Law:

1. T.D.R.P.C. 5.05(a), a lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction;
2. T.D.R.P.C. 8.04(a)(3), a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation; and
3. T.D.R.P.C. 8.04(a)(11), a lawyer shall not engage in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated, including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education.

Charge II: False or Misleading Statements

46. On November 29, 2005, at 2:05 p.m., Respondent met with EPA, Office of Inspector General (hereinafter "OIG"), Special Agent Andrew McLaughlin at the office of EPA Region 6, in Dallas, Texas, during which time:

a. Respondent was provided with a form titled "WARNING AND ASSURANCE TO A FEDERAL EMPLOYEE REQUESTED TO PROVIDE INFORMATION ON A VOLUNTARY BASIS"; the form:

1. stated that OIG was conducting an investigation pertaining to Respondent "falsely holding oneself out as a lawyer"; and

2. advised Respondent that: Respondent had the right to remain silent; anything Respondent said could be used against Respondent in any future criminal or agency proceeding; and Respondent could not be discharged solely for remaining silent, but Respondent's silence could be considered in an agency proceeding for its evidentiary value.

b. Respondent signed the Warning and Assurance form acknowledging that Respondent:

1. understood the warnings;
 2. waived Respondent's rights freely and voluntarily; and
 3. was willing to answer questions at that time.
- c. Special Agent McLaughlin witnessed the Warning and Assurance form.
- d. Respondent was interviewed by Special Agent McLaughlin about the subject of the investigation.

47. At 9:15 a.m., on November 30, 2005, Respondent met with Special Agent McLaughlin at EPA Region 6 offices, during which time:

- a. Respondent gave a written statement claiming that:
1. "I have never known that my membership in the Pennsylvania Bar was inactive until informed of this by my supervisor in early November 2005";
 2. "I have been registering with the Supreme Court of Pennsylvania Continuing Legal Education (CLE) Board thinking that I was getting a deferment

from Pennsylvania's required continuing legal education"; and

3. Respondent was "paying this organization [CLE Board] a small yearly fee."

b. After giving the foregoing written statement, Respondent:

1. read the written statement;

2. initialed all pages and corrections to the statement;

3. swore under penalty of perjury that Respondent's written statement was "the truth, the whole truth, and nothing but the truth"; and

4. signed the written statement.

c. Special Agent McLaughlin signed Respondent's statement.

48. Respondent's signed written statement to Mr. McLaughlin was false, and Respondent knew it to be false in that:

a. in or around 1988, Respondent wrote to the Pennsylvania Bar and requested to be placed on inactive status;

- b. since 1988, Respondent did not file his annual attorney registration statements and pay his annual registration fee;
- c. prior to 2004, Respondent never contacted the Pennsylvania Continuing Legal Education Board about deferring his CLE requirements; and
- d. prior to 2004, Respondent never sent any "yearly fees" to the Pennsylvania Continuing Legal Education Board to defer his CLE requirements.

49. By his conduct, Respondent violated the following Rules of Professional Conduct:

- a. Pa.R.P.C. 8.4(c), which states that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation; and
- b. T.D.P.R.C. 8.04(a)(3), a lawyer shall not engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

IV. JOINT RECOMMENDATION FOR DISCIPLINE

50. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted

misconduct is a two-year suspension from the practice of law.

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

52. Petitioner submits that there is the following aggravating circumstance:

- a. Respondent failed to express recognition of his wrongdoing.

53. Petitioner and Respondent respectfully submit that there is the following mitigating circumstance:

- a. Respondent has no record of discipline.

54. The general range of discipline for attorneys who practice law while inactive ranges from a suspension of one year and one day to a suspension of two years. The baseline of a one-year-and-one-day suspension is often imposed when an attorney's unauthorized practice is not for a long period of time, *Office of Disciplinary Counsel v. Reginald Holder*, No. 131 DB 1999, D.Bd. Rpt. 2/7/2001 (S.Ct. 2/23/2001) (where attorney practiced law for three

months while inactive, Supreme Court suspended attorney for one year and one day), when the unauthorized practice does not involve many client matters, *Office of Disciplinary Counsel v. Chauncey Harris*, 150 DB 2002, D.Bd. Rpt. 4/16/04 (S.Ct. Order 7/15/04) (where attorney who was transferred to inactive status handled one client matter while active, Supreme Court suspended attorney for one year and one day), or where the unauthorized practice is not defiant, *Office of Disciplinary Counsel v. Forman*, No. 70 DB 2001, D.Bd. Rpt. 11/13/02 (S.Ct. Order 1/31/03) (where attorney claimed that he never received notice that he was inactive, Disciplinary Board found that attorney's conduct was not defiant and Supreme Court suspended attorney for one year and one day).

But where an attorney's unauthorized practice of law spans a substantial period of time, involves many client matters, or is accompanied by other acts of misconduct, an attorney may receive a suspension of two years. See, e.g., *Office of Disciplinary Counsel v. Kenneth Charles Jones*, 62 Pa. D.&C.4th 547 (2001) (where attorney engaged in twenty counts of unauthorized practice of law over a two-year period, the wide scope of misconduct warranted the imposition of a two-year suspension); *Office of Disciplinary Counsel v. Thomas Joseph Coleman*, No. 98 DB

2003, D.Bd. Rpt. 1/24/05 (S.Ct. Order 4/19/05) (where attorney was inactive for nine years and continued to sign legal documents knowing that he was on inactive status, Supreme Court suspended attorney for two years for his contemptuous behavior); *Office of Disciplinary Counsel v. Stephen W. Simpson*, No. 6 DB 2004, D.Bd. Rpt. 5/12/05 (S.Ct. Order 7/22/05) (where an attorney misused IOLTA Account and commingled client funds while inactive, attorney was suspended for two years). See also *Office of Disciplinary Counsel v. Cheek*, No. 129 DB 1998 (2000) (Supreme Court suspended an attorney for three years where Disciplinary Board found that attorney's appearance in eight cases after he received notice of his inactive status displayed disdain for the Supreme Court's order).

55. Respondent's misconduct spanned over seventeen years. During this time period, Respondent handled hundreds of legal matters as Assistant Regional Counsel, Chief Multimedia Counseling Branch, and Deputy Regional Counsel. Respondent engaged in additional misconduct when he made false and misleading statements to ODC and OIG. A misrepresentation to disciplinary counsel, standing alone, could support a term of suspension ranging from six months to one year and one day. *In re Anonymous No. 126 DB 92*, 26 Pa. D.&C.4th 427 (1995) (six-month suspension); *Office of*

Disciplinary Counsel v. Arthur Joseph Werner, No. 202 DB 2003, D.Bd. Rpt. 4/27/05 (S.Ct. Order 8/19/05) (one-year-and-one-day suspension). Application of the foregoing precedent to the facts of the instant case leads to the inexorable conclusion that a suspension of not less than two years would be the appropriate discipline for Respondent's misconduct.

WHEREFORE, Petitioner and Respondent respectfully request that:

a. Pursuant to Pa.R.D.E. 215(e) and 215(g), the three-member panel of the Disciplinary Board review and approve the Joint Petition in Support of Discipline on Consent and file its recommendation with the Supreme Court of Pennsylvania recommending that the Supreme Court enter an Order:

1. that Respondent receive a two-year suspension; and
2. directing Respondent to comply with all provisions of Pa.R.D.E. 17.

b. Pursuant to Pa.R.D.E. 215(i), the three-member panel of the Disciplinary Board enter an order for Respondent to pay the necessary expenses incurred in the investigation and

prosecution of this matter as a condition to the grant of the Petition, and that all expenses be paid by Respondent before the imposition of discipline under Pa.R.D.E. 215(g).

Respectfully and jointly submitted,

OFFICE OF DISCIPLINARY COUNSEL

PAUL J. KILLION
CHIEF DISCIPLINARY COUNSEL

12/18/06
Date

By Harriet R. Brumberg
Harriet R. Brumberg
Disciplinary Counsel

12/12/06
Date

By Lawrence E. Andrews
Lawrence E. Andrews
Respondent

12/13/06
Date

By Samuel C. Stretton, Esquire
Samuel C. Stretton, Esquire
Counsel for Respondent

APPENDIX A

V.T.C.A., Govt. Code T. 2, Subt. G App. A, Art. 10, § 9, Rule 8.04

Vernon's Texas Statutes and Codes Annotated Currentness

Government Code (Refs & Annos)

Title 2. Judicial Branch (Refs & Annos)

Subtitle G. Attorneys

Title 2, Subtitle G. Appendix

A. State Bar Rules

Article X. Discipline and Suspension of Members

^Section 9. Texas Disciplinary Rules of Professional Conduct (Refs & Annos)

^VIII. Maintaining The Integrity of the Profession

⇒**Rule 8.04. Misconduct**

(a) A lawyer shall not:

- (1) violate these rules, knowingly assist or induce another to do so, or do so through the acts of another, whether or not such violation occurred in the course of a client-lawyer relationship;
- (2) commit a serious crime or commit any other criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- (3) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;
- (4) engage in conduct constituting obstruction of justice;
- (5) state or imply an ability to influence improperly a government agency or official;
- (6) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law;
- (7) violate any disciplinary or disability order or judgment;
- (8) fail to timely furnish to the Chief Disciplinary Counsel's office or a district grievance committee a response or other information as required by the Texas Rules of Disciplinary Procedure, unless he or she in good faith timely asserts a privilege or other legal ground for failure to do so;
- (9) engage in conduct that constitutes barratry as defined by the law of this state;
- (10) fail to comply with section 13.01 of the Texas Rules of Disciplinary Procedure relating to notification of an attorney's cessation of practice;
- (11) engage in the practice of law when the lawyer is on inactive status or when the lawyer's right to practice has been suspended or terminated including but not limited to situations where a lawyer's right to practice has been administratively suspended for failure to timely pay required fees or assessments or for failure to comply with Article XII of the State Bar Rules relating to Mandatory Continuing Legal Education; or
- (12) violate any other laws of this state relating to the professional conduct of lawyers and to the practice of law.

(b) As used in subsection (a)(2) of this Rule, "serious crime" means barratry; any felony involving moral turpitude; any misdemeanor involving theft, embezzlement, or fraudulent or reckless misappropriation of money or other property; or any attempt, conspiracy, or solicitation of another to commit any of the foregoing crimes.

CREDIT(S)

Adopted by order of Oct. 17, 1989, eff. Jan. 1, 1990. Amended by order of June 15, 1994, eff. Oct. 1, 1994.

<Including Amendments Received Through February 1, 2005>

<The original Rules Governing the State Bar of Texas, consisting of former articles 1 to 13, were approved by the Supreme Court February 22, 1940.>



BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

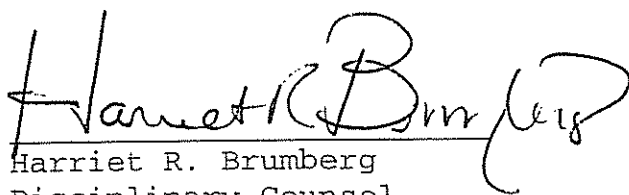
OFFICE OF DISCIPLINARY COUNSEL, :
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: :
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v. :
: Atty. Reg. No. 44049
LAWRENCE E. ANDREWS, :
Respondent : (OUT OF STATE)

VERIFICATION

The statements contained in the foregoing Joint
Petition In Support Of Discipline On Consent Under
Pa.R.D.E. 215(d) are true and correct to the best of our
knowledge, information and belief and are made subject to
the penalties of 18 Pa.C.S. §4904, relating to unsworn
falsification to authorities.

12/18/06

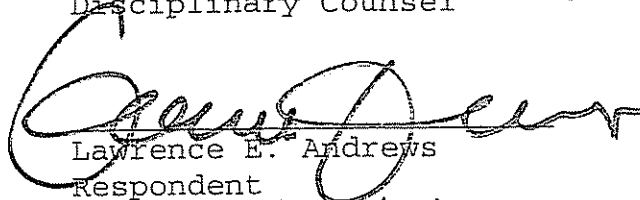
Date



Harriet R. Brumberg
Disciplinary Counsel

12/12/2006

Date



Lawrence E. Andrews
Respondent

12/13/06

Date



Samuel C. Stretton
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
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OFFICE OF DISCIPLINARY COUNSEL, :
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AFFIDAVIT UNDER RULE 215(d), Pa.R.D.E.

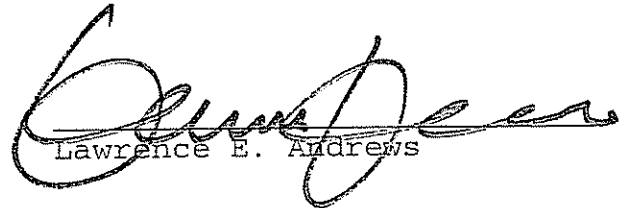
Respondent, Lawrence E. Andrews, hereby states that he consents to the imposition of a two-year suspension, and further states that:

1. His consent is freely and voluntarily rendered; he is not being subjected to coercion or duress; he is fully aware of the implications of submitting the consent; and he has consulted with counsel in connection with the decision to consent to discipline;

2. He is aware that there is presently pending an investigation into allegations that he has been guilty of misconduct as set forth in the Joint Petition;

3. He acknowledges that the material facts set forth in the Joint Petition are true; and

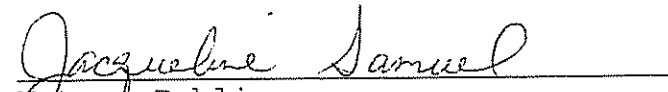
4. He knows that if charges predicated upon the matter under investigation were filed, he could not successfully defend against them.


Lawrence E. Andrews

Sworn to and subscribed

before me this 15th

day of December, 2006.


Notary Public

