

IN THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1595 Disciplinary Docket No. 3
Petitioner :
: No. 33 DB 2010
v. :
: Attorney Registration No. 17602
BRIAN S. QUINN, :
Respondent : (Delaware County)

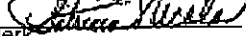
ORDER

PER CURIAM:

AND NOW, this 21st day of June, 2012, upon consideration of the Recommendation of the Three-Member Panel of the Disciplinary Board dated April 12, 2012, 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 Brian S. Quinn is suspended on consent from the Bar of this Commonwealth for a period of five years retroactive to May 17, 2010, and he shall comply with all the provisions of Rule 217, Pa.R.D.E.

A True Copy Patricia Nicola
As Of 6/21/2012

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

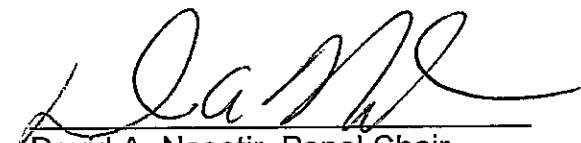
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RECOMMENDATION OF THREE-MEMBER PANEL
OF THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

The Three-Member Panel of the Disciplinary Board of the Supreme Court of Pennsylvania, consisting of Board Members David A. Nasatir, Sal Cognetti, Jr., and Howell K. Rosenberg, has reviewed the Joint Petition in Support of Discipline on Consent filed in the above-captioned matter on February 28, 2012.

The Panel approves the Joint Petition consenting to a five year suspension retroactive to May 17, 2010 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.


David A. Nasatir, Panel Chair
The Disciplinary Board of the
Supreme Court of Pennsylvania

Date: April 12, 2012

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No.33 DB 2010
Petitioner :
 : No.1595 Disciplinary Docket No.3
v. :
 :
BRIAN S. QUINN, : Attorney Reg. No. 17602
Respondent : (Delaware County)

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

Petitioner, Office of Disciplinary Counsel, by Paul J. Killion, Chief Disciplinary Counsel, and Patricia A. Dugan, Disciplinary Counsel, and Respondent, Brian S. Quinn, by his counsel, Arthur T. Donato, Jr., Esquire, file this Joint Petition In Support Of Discipline on Consent under Rule 215(d) of the Pennsylvania Rules of Disciplinary Enforcement, and respectfully represent that:

1. Petitioner, whose principal office is situated at the Pennsylvania Judicial Center, 601 Commonwealth Avenue, Suite 2700, P.O. Box 62485, Harrisburg, Pennsylvania 17106, is invested, pursuant to Rule 207 of the Pennsylvania Rules of Disciplinary Enforcement (hereinafter "Pa.R.D.E."), with the power and duty to investigate all matters involving alleged misconduct of any attorney admitted to practice law in the

FILED

FEB 28 2012

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

Commonwealth of Pennsylvania and to prosecute all disciplinary proceedings brought in accordance with the various provisions of said Rules.

2. Respondent, Brian S. Quinn, was born on June 16, 1948, and was admitted to practice law in the Commonwealth on October 3, 1973.

3. By Order dated May 17, 2010, the Pennsylvania Supreme Court placed Respondent on temporary suspension as a result of a joint petition filed on March 19, 2010.

4. On June 28, 2010, Respondent filed a Statement of Compliance with the Office of the Secretary to the Disciplinary Board, pursuant to Pa.R.D.E. 217(e).

5. Respondent currently works as a paralegal for Richard J. Emhof, Esquire at 222 S. Manoa Road, Havertown, Pennsylvania 19083.

6. Respondent is subject to the jurisdiction of the Disciplinary Board of the Supreme Court of Pennsylvania.

7. Respondent's affidavit, consenting to the recommended discipline is attached hereto as Exhibit A.

SPECIFIC FACTUAL ALLEGATIONS ADMITTED

Criminal Convictions

8. On April 2, 2008, the Haverford Township Police Department filed a Criminal Complaint charging Respondent with one count of driving under the influence of a combination of

drugs and alcohol - 3rd offense refusal under 75 P.S. §3802, one count of driving under the influence - general impairment under 75 P.S. §3802, one count of possession of a controlled substance under 35 P.S. §780-113(A)(16), nine counts of use of/possession of paraphernalia under 35 P.S. §780-113(A)(32) and one summary count of duties at a stop sign (75 P.S. §3323§§B). The charges stemmed from a traffic stop wherein Respondent failed to stop at a stop sign.

9. On November 20, 2009, Respondent entered open guilty pleas to one count of driving under the influence of a combination of alcohol and drugs - 3rd offense refusal, a misdemeanor of the first degree and one count of use of/possession of paraphernalia, an ungraded misdemeanor. The Court ordered Respondent to complete a drug and alcohol evaluation.

10. On January 22, 2010, The Honorable Charles C. Keeler sentenced Respondent to imprisonment at the George W. Hill Correctional Facility in Delaware County, Pennsylvania for 12 to 24 months on the charge of driving under the influence of a combination of alcohol and drugs - 3rd offense refusal, followed by two years of consecutive probation. Respondent was sentenced to a one-year concurrent probation on the charge of use of/possession of paraphernalia. Respondent was ordered to be placed on immediate work release after serving 3 months of incarceration and ordered to complete the remaining 6 months of

incarceration under the electronic home monitoring program. Respondent was ordered to refrain from consuming alcohol or drugs, pay a \$2,500.00 fine plus the costs of prosecution, complete a CRN evaluation and comply with the rules and regulations governing probation and parole. The remaining charges were nolle prossed at the time of sentencing.

11. On January 22, 2010, Respondent reported this conviction to the Secretary of the Disciplinary Board as required by Pa.R.D.E. 214(a).

12. On February 22, 2010, Respondent was incarcerated. On February 22, 2012, Respondent began serving his two-year probation on the driving under the influence charge and his one-year concurrent probation on the paraphernalia charge.

13. On June 27, 2007, the Haverford Township Police Department filed a Criminal Complaint charging Respondent with one count under 18 P.S. §5503(A)(2) (disorderly conduct-unreasonable noise), one count under 18 P.S. §5101 (obstructing administration of law/other governmental function) and one count under 18 P.S. §5505 (public drunkenness).

14. On April 21, 2008, Respondent pled guilty to disorderly conduct, a summary offense and was sentenced to pay a \$300.00 fine. The remaining charges were dismissed or nolle prossed.

15. On March 19, 2005, the Monroe County Police Department in Florida filed a criminal complaint charging Respondent with

one misdemeanor count under Fla. Stat. §316.1939(1) (driving under the influence-refusal). On August 8, 2007, Respondent entered into a negotiated guilty plea. The Honorable Peary Fowler accepted the terms of the plea and sentenced Respondent to twelve months of probation, early termination, along with fines, costs, DUI school, a six-month license suspension, a ten-day car impound and 50 hours of community service.

16. On May 21, 2000, the Long Beach Township Police Department in Ocean County, New Jersey, charged Respondent by summons with one count of N.J.S. §39:4-50 (driving under the influence).

17. On July 7, 2000, Respondent pled guilty to the charge of driving under the influence and was sentenced to pay fines, costs, and a six month license suspension. Respondent was also sentenced to attend twelve hours at an Intoxicated Driver's Resource Center.

18. Respondent has complied with all the terms and conditions of each criminal case. Respondent continues to cooperate with the Delaware County Probation and Parole Department and continues to make monthly payments of fines and costs as directed by his probation officer.

The Calderone Estate

19. Respondent drafted a Last Will and Testament for Sara Jane Calderone. Mrs. Calderone nominated one of her sons, Joseph Calderone, as Executor and named all three of her children as residual beneficiaries of her estate. Mrs. Calderone died on January 30, 2003.

20. Subsequently, Joseph Calderone hired Respondent to represent him as the Executor of the Calderone Estate and Respondent began administration.

21. On February 14, 2005, Respondent filed a Status Report Under Rule 6.12 with the Register of Wills in Montgomery County, #46-03-0409 and indicated that the administration of the Estate was complete.

22. Joseph Calderone had previously closed his Mother's Merrill Lynch account and transferred the entire balance, \$34,449.54, into a new Merrill Lynch account, #XXX-XX120, in the Estate's name. The funds in the account were not distributed right away in case they were needed to pay additional taxes.

23. On June 11, 2007, Joseph Calderone sent a letter to Merrill Lynch and requested that account #XXX-XX120 be liquidated and that the proceeds be forwarded to Respondent in the form of a check made payable to the Calderone Estate.

24. On or about June 20, 2007, Respondent received and deposited the check from Merrill Lynch made payable to the

Estate of Sara Jane Calderone in the amount of \$34,449.54 into his Citizens Bank IOLTA, #620149-612-6.

25. Respondent failed to distribute the money to Joseph Calderone and his two siblings.

26. On July 2, 2007, Respondent had a balance in his Citizens Bank IOLTA of \$30,386.29.

27. On March 31, 2009, Respondent had a balance in his Citizens Bank IOLTA of \$15.27.

28. Respondent converted the \$34,449.54 that was deposited into his IOLTA which belonged to the beneficiaries of the Calderone Estate.

29. Joseph Calderone subsequently requested that Respondent turn over all the Estate records, including the records concerning the sale of Mrs. Calderone's house and other records particular to Joseph Calderone. Respondent failed to provide them to Joseph Calderone.

30. Joseph Calderone subsequently requested that Respondent provide an accounting regarding the Calderone Estate and Respondent failed to provide one.

31. Joseph Calderone hired a new attorney and pursued the matter in Orphans' Court in Montgomery County.

32. On or about April 18, 2011, Respondent made partial restitution to the Calderone Estate in the amount of \$30,000.00 with no conditions attached.

Additional Information

33. Respondent has had drug and alcohol problems since the late 1990's.

34. Respondent sought the assistance of Lawyers Concerned for Lawyers ("LCL") and developed a long term plan for his ongoing treatment and rehabilitation.

35. On September 18, 2008, Respondent, under the guidance of LCL, began a 28-day in-patient treatment program at Gaudenzia Common Ground in Harrisburg, Pennsylvania. Respondent completed the program on October 16, 2008.

36. On October 17, 2008, Respondent began attending Alcoholics Anonymous ("AA") and Narcotics Anonymous ("NA") on a daily basis since being discharged from in-patient treatment.

37. On October 20, 2008, Respondent began intensive out-patient treatment at Rehab After Work in Havertown, Pennsylvania. Respondent's treatment consisted of 2-4 two-hour sessions per week, including random drug and alcohol testing. All tests were negative. Respondent successfully completed the treatment on January 8, 2009.

38. From January 9, 2009 to the present, Respondent has been participating in weekly two-hour group and individual sessions at Continuing Care located at Rehab After Work.

39. Respondent has been a guest speaker at Gaudenzia Common Ground and has been invited to return on a monthly basis. Respondent has chaired several AA meetings as a result of attaining over one year of continuous sobriety. Respondent has participated in the LCL 2009 and 2011¹ Conferences for volunteers held in Harrisburg, Pennsylvania and has been a temporary sponsor for alcoholics and addicts in early recovery. Respondent will be a panelist on the final day of the LCL 2012 Conference dealing with "How LCL Works."

40. Respondent found employment with Richard J. Emhof, Esquire. Respondent shared his criminal history and drug addiction with his employer who provided notice of his employment to the Disciplinary Board on or about June 10, 2010, pursuant to Pa.R.D.E. 217(j)(5).

41. Respondent is currently enrolled in a Continuing Studies Program at Villanova University to become a certified drug and alcohol counselor. Respondent is taking two courses this semester, one entitled "Assessing and Guiding Spiritual Development in Recovery" and the other entitled "the Chemically Dependent Criminal Offender."

42. Respondent has no prior history of discipline.

¹ Respondent could not participate in the LCL 2010 Conference due to his incarceration at the time.

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

43. Respondent has violated the following Rules of Professional Conduct and Pennsylvania Rules of Disciplinary Enforcement:

- a. RPC 1.3, requiring a lawyer to act with reasonable diligence and promptness in representing a client;
- b. RPC 1.4(a)(4), requiring a lawyer to promptly comply with reasonable requests for information;
- c. Former RPC 1.15(a), requiring a lawyer to hold property of clients or third persons that is in the lawyer's possession in connection with a client-lawyer relationship separate from the lawyer's own property with the client's property identified and appropriately safeguarded and the records of the receipt, maintenance and disposition of such property shall be preserved for a period of five years after termination or distribution;
- d. Former RPC 1.15(b), requiring a lawyer to promptly notify the client or third person upon receiving property of a client or third person in connection with a client-lawyer relationship and

to promptly deliver to the client or third person any property that the client or third person is entitled to receive and upon request by the client or third person, promptly render a full accounting regarding such property;

- e. RPC 1.15(b), requiring a lawyer to hold all RPC 1.15 funds and property separate from the lawyer's own property with the property identified and appropriately safeguarded;
- f. RPC 1.15(e), requiring a lawyer to promptly deliver to the client or third person any property, including but not limited to Rule 1.15 funds, that the client or third person is entitled to receive and , upon request by the client or third person, shall promptly render a full accounting regarding the property;
- g. RPC 8.4(b), prohibiting a lawyer from committing a criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects;
- h. RPC 8.4(c), prohibiting a lawyer from engaging in conduct involving dishonesty, fraud, deceit or misrepresentation;

- i. Former Pa.R.D.E. 203(b)(1) which states the following shall be grounds for discipline: Conviction of a crime which under Enforcement Rule 214 (relating to attorneys convicted of crimes) may result in suspension.

SPECIFIC JOINT RECOMMENDATION FOR DISCIPLINE CONSISTING OF A FIVE-YEAR SUSPENSION RETROACTIVE TO THE DATE OF THE TEMPORARY LICENSE SUSPENSION

44. Petitioner and Respondent jointly recommend that the appropriate discipline for Respondent's admitted misconduct is a suspension from the practice of law for a period of five years.

45. Respondent hereby consents to that discipline being imposed upon him by the Supreme Court of Pennsylvania. Attached to this petition, marked as Exhibit A, is Respondent's executed affidavit required by Rule 215, Pa.R.D.E., stating that he consents to the recommended discipline and which includes the mandatory acknowledgements required by Rule 215 (d)(1) through (4), Pa.R.D.E.

46. In support of Petitioner and Respondent's joint recommendation, it is respectfully submitted that the following mitigating circumstances are present:

- a. Respondent is 63 years old has no history of prior discipline and had been practicing law for approximately 37 years;

- b. Respondent has admitted his wrongdoing and is remorseful.
- c. Respondent has fully cooperated with ODC as evidenced by his entering into a joint petition for temporary suspension and by entering into this joint petition on consent.
- d. Respondent has made partial restitution which is evidenced by his unconditional payment of \$30,000.00 to Joseph Calderone's attorney on April 18, 2011.
- e. Respondent has provided psychological testimony relating to his addiction to alcohol and drugs and its effect on his criminal convictions and conversion. The testimony of the medical professional opines that his criminal acts were directly related to and caused by his addiction to drugs and alcohol.²
- f. Respondent has provided evidence relating to his subsequent successful efforts at recovery and rehabilitation in the form of testimony from his LCL mentor and AA sponsor. Evidence in support of his efforts includes sustained involvement and commitment to the twelve-step program and active

² See *Office of Disciplinary Counsel v. Braun*, 553 A.2d 894 (Pa. 1989).

participation in LCL, NA, and AA. (Exhibits B & C)

g. Respondent has been gainfully employed with the same employer for more than a year and can provide additional evidence of Respondent's recovery.

In Pennsylvania, there is no *per se* discipline for a particular type of misconduct, but instead each case is reviewed individually as established in the case of *Office of Disciplinary Counsel v. Lucarini*, 417 A.2d 186 (Pa. 1983).

The knowing conversion of fiduciary funds is a serious breach of ethics. Cases illustrate that a five-year suspension or disbarment may be imposed on attorneys who knowingly convert client funds. Compare *Office of Disciplinary Counsel v. Anthony Dennis Jackson*, 99 DB 2006 D.Bd. Rpt. 12/13/2007 (S.Ct. Order 4/23/2008) (attorney who converted \$33,285 from a wrongful death settlement and neglected one client matter received a five-year suspension), with *Office of Disciplinary Counsel v. Rainone*, 60 DB 2004, D.Bd. Rpt. 5/11/2006 (S.Ct. Order 12/21/2006) (Supreme Court disbarred an attorney who converted over \$26,000.00 in four client matters and neglected a fifth client matter). See however, *Office of Disciplinary Counsel v. Patricia M. Renfroe a/k/a Patty M. Renfroe and Patty Michelle Renfroe*, No. 122 DB 2004, D.Bd. Rpt. 8/30/05 (S.Ct. Order 11/1/05) (attorney, who

had practiced law for twenty-four years without a record of discipline, disbarred for misappropriating \$155,702.00 in a single client matter); and *Office of Disciplinary Counsel v. Paul Hammer*, No. 87 DB 2001, D.Bd. Rpt. 9/29/05 (S.Ct. Order 1/5/06) (disbarment ordered for an attorney, with prior record of discipline for dissimilar conduct, who converted \$14,887.88 in one client matter and made partial restitution). Balancing the serious nature of Respondent's criminal acts against the proposed mitigation, including *Braun* evidence and Respondent's ongoing efforts to address his addiction, it is respectfully requested that a five-year suspension will sufficiently protect the public.

The imposition of a five-year suspension is consistent with the range of sanctions imposed, *In the Matter of Marx S. Leopold*, 366 A.2d 227 (Nov. 24, 1976).

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 be suspended for a period of five years, retroactive to May 17, 2010, the date Respondent was placed on temporary suspension, and that Respondent be ordered to pay all necessary expenses incurred in

the investigation and prosecution in the matter as a condition to the grant of the Petition.

Respectfully submitted,
OFFICE OF DISCIPLINARY COUNSEL
PAUL J. KILLION,
Chief Disciplinary Counsel

2/23/12
Date

BY: Patricia A. Dugan
Patricia A. Dugan
Attorney Registration No.87147
District II Office
Disciplinary Counsel
Suite 170
820 Adams Avenue
Trooper, PA 19403

2/16/12
Date

BY: Brian S. Quinn
Brian S. Quinn
Respondent

2-20-12
Date

BY: Arthur T. Donato, Jr.
Arthur T. Donato, Jr., Esquire
Counsel for Respondent
Attorney Registration No.31666
216 West Front Street, 2nd Floor
Media, Pennsylvania 19063

VERIFICATION

The statements contained in the foregoing Joint Petition in Support of Discipline on Consent under Rule 215(d), Pa.R.D.E., are true and correct to the best of our 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.

2/23/12

Date

Patricia A. Dugan

Patricia A. Dugan,
Disciplinary Counsel

2/16/12

Date

Brian S. Quinn

Brian S. Quinn
Respondent

2-20-12

Date

Arthur T. Donato, Jr.

Arthur T. Donato, Jr., Esquire
Counsel for Respondent

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

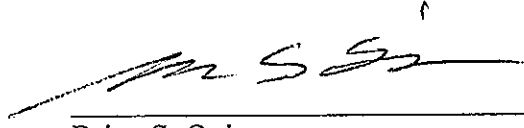
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Petitioner :
: No. 1595 Disciplinary Docket No. 3
v. :
: Attorney Reg. No. 17602
BRIAN S. QUINN, :
Respondent : (Delaware County)

AFFIDAVIT UNDER RULE 215 Pa.R.D.E.

Respondent, Brian S. Quinn, hereby states that he consents to the imposition of a suspension from the practice of law for a period of five years and further states that:

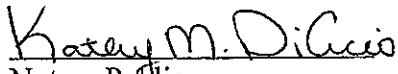
1. He is an attorney admitted to the Commonwealth of Pennsylvania, having been admitted to the bar on or about October 3, 1973.
2. He desires to submit a Joint Petition in Support of Discipline on Consent pursuant to Pa.R.D.E. 215(d).
3. His consent is freely and voluntarily rendered; he is not being subject to coercion or duress; and he is fully aware of the implications of submitting this consent.
4. He has consulted with counsel, Arthur T. Donato, Jr., Esquire, in connection with his decision to consent to discipline.
5. He is aware there is presently a proceeding involving allegations that he has been guilty of misconduct as set forth within the accompanying petition.
6. He acknowledges that the material facts within the petition are true.

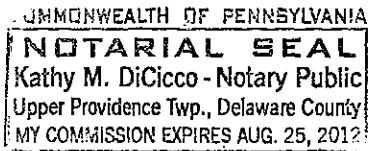
7. He consents because he knows that if he continues to be prosecuted in the pending proceeding, he cannot successfully defend himself.

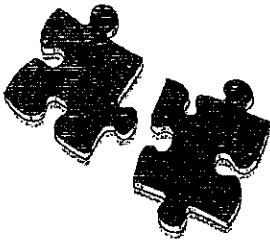


Brian S. Quinn
Respondent

Sworn to and Subscribed
before me this 16th day
of February, 2012


Notary Public





Rehab After Work® & Rehab After School®

1-800-238-HELP

April 6, 2011

RE: Brian S. Quinn
DOB: 6-16-1948

To Whom It May Concern:

I am writing this letter on behalf of the above-mentioned client, who has been in our care since his initial evaluation on October 17, 2008. After completing a Bio-psych-social assessment, it was advised that Brian attend and complete our Intensive Outpatient Treatment program. Prior to this, he completed a very intensive one month long inpatient program at Gaudenzia's Common Ground in Harrisburg, PA.

Brian did complete our Intensive Outpatient Treatment Program, which consists of four two-hour sessions per week, on December 3, 2008, and was invited into our Continuing Care Group, which meets once weekly for two hours. Prior to his incarceration Brian also met with me on an individual basis once weekly, and then returned to our once weekly group when discharged. He successfully completed all recommended treatments on March 24, 2011 and was discharged "Complete" at that time. His discharge diagnosis is "Very good".

We recommend attendance at 12 Step Fellowship meetings at least three times a week, in addition to attendance at group sessions. Brian has been attending daily AA meetings since his initial evaluation, has a strong sponsor and is an integral member of his AA home group. He has maintained abstinence from alcohol and any and all chemical substances, has had all negative random drug screenings while in our care, and has participated fully in his treatment and in his own recovery. I have every reason to believe that he will continue to do so.

Brian has suffered from medical conditions during the last two years, and has nonetheless continued to attend his daily AA meetings and counseling sessions using public transportation and walking under the most adverse conditions. The energy and enthusiasm that Brian has put into his recovery has been nothing short of remarkable in my estimation and experience. I strongly believe that Brian has helped many people these past years who have witnessed his determination, and I have faith that this will continue.

I firmly believe that his experiences and resolve will only help him to be a better person and lawyer in the future.

I thank you for this opportunity to speak on Brian's behalf.

Rehab After Work is a licensed outpatient treatment center dedicated to helping those who suffer from substance abuse and their families.

Very truly yours,

Bonnie Hires, LPC, CACD, CCDP
Licensed Professional Counselor
Certified in Addictions and Co-occurring Disorders

"Outpatient Drug and Alcohol Rehabilitation for Adults, Adolescents and Families"

Exton, PA
491 John Young Way
Suite 300
Exton, PA 19341

Havertown, PA
525 West Chester Pike
Suite 205
Havertown, PA 19083

Paoli, PA
1440 Russell Road
Lower Level
Paoli, PA 19301

Marlton, NJ
9003 Lincoln Dr., West
Suite C
Marlton, NJ 08053

Philadelphia, PA
Center City
1420 Walnut St.
Suite 500
Phila., PA 19102

Philadelphia, PA
Northeast
8400 Bustleton Ave.
Suite 200
Phila., PA 19152

Lansdale, PA
1107 East Main St.
Lansdale, PA 19446

EXHIBIT "B"

STAPLETON & COLDEN

ATTORNEYS AT LAW

THOMAS J. STAPLETON, JR.
RICHARD L. COLDEN, JR.
STEVEN C. LEACH

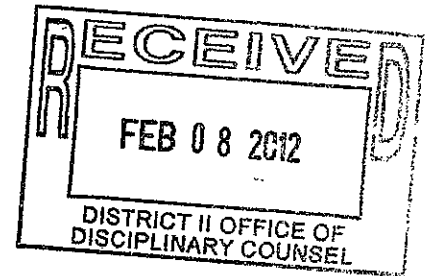
5030 STATE ROAD
SUITE 2-600
P. O. BOX 350
DREXEL HILL, PENNSYLVANIA 19026

TELEPHONE (610) 259-1500 ext. 2
FAX (610) 259-5140
tjstapleton@erols.com

PLEASE REPLY TO:
P. O. BOX 350
DREXEL HILL, PA 19026

February 7, 2012

Patricia Dugan, Esq.
Office of Disciplinary Counsel
820 Adams Ave. Ste 170
Trooper Pa 19403



Re: Brian Quinn

Dear Ms. Dugan:

I have known Brian Quinn since he was first admitted to practice in Delaware County. Our paths crossed both in our practices and in the political arena. However, I have only come to know Brian intimately as a person and fellow recovering alcoholic since he was discharged from Common Grounds treatment facility. Since that time, I have been acting as his Pre Order Monitor.

I made sure that he got a sponsor, was going to meetings, introduced him to the Delaware County Lawyers meeting, drove him to some meetings, spoke to him weekly, saw him and talked to him at other meetings in the community.

I have acted as a resource person for him with regard to some other recovery issues. I have listened to him regarding some of his living problems and in fact have acted as back up sponsor when he was unable to connect with his actual sponsor.

I have acted as Pre-Order Monitor for other attorneys over the years and have had the opportunity to testify at their Disciplinary Board Hearings. I would whole heartedly testify before the Board on Brian's behalf. As I wrote to the sentencing judge, I have been impressed with Brian's commitment to his recovery program. He has been able to weather many of life's problems and deal with much wreckage of his past and maintain his sobriety.

There is no question in my mind that Brian's transgressions as an attorney were directly related to his addiction.

Let me know if there is anything else you need from me concerning Brian's case.

Sincerely,

STAPLETON & COLDEN

By

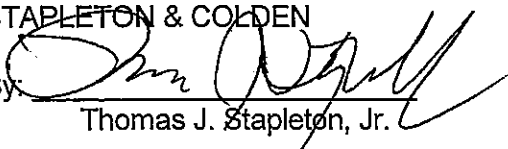

Thomas J. Stapleton, Jr.

EXHIBIT "C"

BEFORE THE DISCIPLINARY BOARD OF
THE SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 1595 Disciplinary
Petitioner : Docket No. 3
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BRIAN S. QUINN, :
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CERTIFICATE OF SERVICE

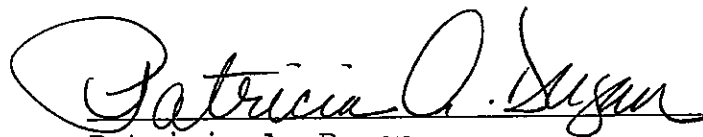
I hereby certify that I have this day served by first class mail the Foregoing Joint Petition in Support of Discipline on Consent upon Respondent's Counsel, Arthur T. Donato, Jr. in this proceeding in accordance with the requirements of 204 Pa. Code §89.22 (relating to service by a participant).

By First Class Mail:

Arthur T. Donato, Jr., Esquire
216 West Front Street
2nd Floor
Media, PA 19063

2-23-12

Date



Patricia A. Dugan
Disciplinary Counsel
Atty. Reg. No. 87147
District II Office
Disciplinary Board of the
Supreme Court of Pennsylvania
820 Adams Avenue, Suite 170
Trooper, PA 19403