

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF FREDERICKSBURG

IN THE MATTER OF

CASE NO.: CL 03-132

ROBERT HARDIN DEADERICK, JR.

ORDER

On Friday, August 8, 2003, came on for hearing the Complaint of the Virginia State Bar. The matter was tried before Thomas N. Nance, Judge; Joseph F. Spinella, Judge; and Lydia Calvert Taylor, designated Chief Judge. Harry M. Hirsch appeared as counsel for the Virginia State Bar. Robert Hardin Deaderick, Jr. appeared in person and with counsel, Michael L. Rigsby.

The Court heard testimony, received documentary evidence, and considered the closing argument of counsel, whereupon the Court adjourned to deliberate. The Court then returned and announced its decision as follows:

1. that the conduct in issue occurred prior to January 1, 2000, that Rules 1.8, 1.15 and 8.4 of the Rules of Professional Conduct [Rules of Court, Part Six, § II] were adopted effective January 1, 2000, and that the Complaint, as related to these Rules, should be dismissed.
2. that the bar did not prove by clear and convincing evidence violations of DR 1-102(A)(3) and (4), DR 2-105(A), DR 5-101(A), DR 5-104(A), DR 6-101(C) or DR 9-102(B)(4) of the Code of Professional Responsibility [Rules of Court, Part Six, § II, repealed effective January 1, 2000] and that the Complaint, as related to these Disciplinary Rules, should be dismissed.
3. that Mr. Deaderick failed to preserve the identity of a client's funds, thus being out of trust, on several dates over a seven month period in 1998 and 1999, and that such conduct constituted a violation of DR 9-102(A).

*1-22-04
file
M. Rigsby
H. Hirsch
Clerk Disc. System*

The Court then heard evidence and argument regarding the sanction to be imposed and again adjourned to deliberate. The Court returned and announced that it would impose an Admonition, pursuant to the Rules of Court, Part Six, § IV, ¶ 13I.2.f.

Accordingly, IT IS ORDERED, that Mr. Deaderick be, and he is hereby, ADMONISHED for negligently violating DR 9-102(A) of the Code of Professional Responsibility.

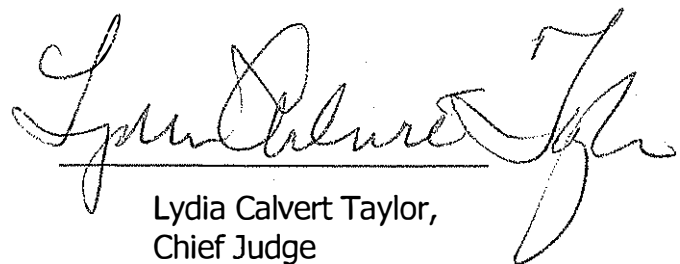
IT IS FURTHER ORDERED that the Complaint of the Virginia State Bar alleging violations of Rule 1.8, 1.15, and 8.4 of the Rules of Professional Conduct and DR 1-102(A)(3) and (4), DR 2-105(A), DR 5-101(A), DR 5-104(A), DR 6-101(C) and DR 9-102(B)(4) of the Code of Professional Responsibility be, and the same is, hereby dismissed.

Costs are assessed in accordance with Rules of Court, Part Six, § IV, ¶ 13.B.8., for the one charge that was not dismissed.

The court reporter who transcribed these proceedings was L. Kay Dudenhefer, business phone 540.372.6874.

Let the Clerk send a copy of this Order to all counsel of Record and to the Clerk of the Disciplinary System, Virginia State Bar, 707 East Main Street, Suite 1500, Richmond, Va. 23219.

01/07/04
Date


Lydia Calvert Taylor,
Chief Judge

WE ASK FOR THIS:

ROBERT HARDIN DEADERICK, JR.

By Michael L. Rigsby

Michael L. Rigsby
CARRELL RICE & RIGSBY
7275 Glen Forest Drive
Suite 309
Richmond, Va. 23226

Counsel

~~SEEN AND OBJECTED TO:~~

VIRGINIA STATE BAR

By Harry M. Hirsch

Harry M. Hirsch
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Suite 1500
Richmond, Va. 23219

Counsel

VIRGINIA:
CIRCUIT COURT OF THE CITY OF FREDERICKSBURG
A COPY OF TEST: SHARRON S. MITCHELL, CLERK
BY: Sharon S. Mitchell
DATE: 1-22-09
DEPUTY CLERK