

1 Case Number: OBC17-0977



FILED

FEB 07 2018

3 BY:  STATE BAR OF NEVADA  
OFFICE OF BAR COUNSEL

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**STATE BAR OF NEVADA**  
**NORTHERN NEVADA DISCIPLINARY BOARD**

**LETTER OF REPRIMAND**

TO: Sean L. Brohawn, Esq.  
627 Sadlier Way  
Reno, Nevada 89512

A Screening Panel of the Northern Nevada Disciplinary Board recently reviewed the above-referenced grievance file. The Panel unanimously concluded that a Letter of Reprimand should be issued to you for violation of RPC 1.3 (Diligence), RPC 1.4 (Communication), RPC 1.5 (Fees), RPC 1.15 (Safekeeping Property), RPC 8.1(b) (Bar Admissions and Disciplinary Matters) and RPC 8.4 (Misconduct).

You were hired in February 2016 to file a Quiet Title action on a home in Sparks, Nevada for which the client paid you a \$3,000 retainer.<sup>1</sup> The client paid you an additional \$4,000 between February 29, 2016 and April 29, 2016. The client reports that shortly thereafter he had difficulty reaching you by phone; the voicemail box for the cell phone number you gave him was always full and unable to accept messages. The client claims

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<sup>1</sup> After you were retained, you helped the client successfully file for an un-related extended TPO against his ex-wife.

1 that, due to the lack of contact and delay of process, he lost 2 separate potential sales of the  
2 property in 2016.

3 With his grievance, the client provided a copy of a Complaint to Quiet Title that you  
4 prepared and said was filed in May, 2017. The client noticed that the copy did not have a  
5 file stamp so he asked you to confirm that the document had indeed been filed. You claimed  
6 that the dollar sign in front of the document code was in lieu of an electronic stamp and  
7 meant that the filing office had collected money. The client further claims that you told  
8 him that it would take up to a month to have a case number and judge assigned to the case  
9 because the courts were so busy.

10 The client questioned your alleged progress on the case, and therefore, checked into  
11 the filing of the quiet title action. On August 2, 2017, it was reported to the Office of Bar  
12 Counsel that only through this research did your client discover that you had been  
13 suspended in June, 2017. Further, it was discovered that you had provided a fraudulent  
14 case number to the client— the case number was for an unrelated matter involving a Minor's  
15 Compromise Claim.

16 The client did subsequently retain other counsel to handle the quiet title action and  
17 the representation is now proceeding in a timely manner.

18 Your failure to move the case forward for over a year is a violation of your duties  
19 pursuant to RPC 1.3 (Diligence) and RPC 8.4(d) (Misconduct- prejudicial to the  
20 administration of justice). Your failure to adequately communicate with your client is a  
21 violation of your duties pursuant to RPC 1.4 (Communication). Your failure to perform  
22 sufficient services for the client to make the \$7,000 fee reasonable is a violation of RPC 1.5  
23 (Fees) and your failure to safe-keep and return the funds to the client when it was clear you  
24 could not perform the services is a violation of RPC 1.15 (Safekeeping of Property). Finally,

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1 your misrepresentation to the client regarding the filing of a case on his behalf was a  
2 violation of RPC 8.4(c) (Misconduct- dishonesty).

3 In addition, the Office of Bar Counsel forwarded you a copy of your former client's  
4 grievance and requested a response. You failed to respond, which is a separate violation of  
5 RPC 8.1 (Bar Admission and Disciplinary Matters).

6 The Panel felt that this misconduct warranted suspension. But the Panel considered,  
7 as a mitigating factor, that you are already suspended for six-months-and-one-day for  
8 similar misconduct during substantially the same time period, and therefore, it expects that  
9 you will be required to account for this misconduct at any reinstatement hearing held in  
10 the future.

11 Accordingly, you are hereby **REPRIMANDED** for violating RPC 1.3 (Diligence),  
12 RPC 1.4 (Communication), RPC 1.5 (Fees), RPC 1.15 (Safekeeping Property), RPC 8.1(b)  
13 (Bar Admissions and Disciplinary Matters) and RPC 8.4 (Misconduct). The Panel  
14 instructed that in addition to this Letter of Reprimand, you must return the \$7,000 to your  
15 former client within 30 days of the formal issuance of this Letter of Reprimand. I trust that  
16 this reprimand will serve as a reminder to you of your ethical obligations, and that no such  
17 problems will arise in the future.

18 DATED this 3d day of January, 2017.

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21 By:   
22 STEPHEN S. KENT, ESQ.  
23 Screening Panel Chair  
24 Northern Nevada Disciplinary Board  
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