

STATE BAR OF NEVADA

October 21, 2021

Michael D. Mazur, Esq.
4262 Blue Diamond Blvd., Suite 238,
Las Vegas, NV 89139

RE: **LETTER OF REPRIMAND (OBC20-0413)**

Mr. Mazur:

A Formal Hearing Panel of the Southern Nevada Disciplinary Board convened on July 26, 2021 to consider the above-referenced grievance against you. The Panel concluded that you violated Nevada Rules of Professional Conduct 1.15(a) (Safekeeping Property) and 8.1 (Bar Disciplinary Matters) and that you should be reprimanded for your handling of that safekeeping matter and the State Bar's subsequent investigation inquiries. This letter constitutes delivery of the Panel's reprimand.

On March 30, 2020, the Bank of America reported your former firm's client IOLTA account overdrawn on March 16, 2020. After two inquiries by the State Bar, you reported on July 24 that the overdraw was due to an unauthorized debit transaction upon the client IOLTA. You did not provide the additional business account information and additional months of client IOLTA account information that the State Bar requested. Likewise, you did not identify the same merchant that later made an additional debit withdrawal of a different amount one month later, nor did you provide results of the Bank of America investigation.

The State Bar inquired with you on three additional occasions on July 24, August 7 and August 24. This information query was important for the State Bar to properly discharge its responsibilities to the public. The information would have helped determine if any clients were harmed and if you had quickly remediated the client IOLTA deficit. You offered an email reply on August 24 stating you would provide the additional information sought by the State Bar. You did not timely provide the requested information.

On September 23, 2020 you again provided incomplete information on the client IOLTA status. On October 19, 2020, the State Bar again emailed you seeking your assistance to provide needed information. You did not reply.



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NRPC 1.15(a) provides that client funds are to be segregated, kept safe, and carefully maintained by the lawyer. You negligently breached that duty by not taking immediate remedial action after the first unauthorized debit of March 18 to the client IOLTA. This inattentiveness resulted in an additional debit on April 16 by the same merchant. Both debits identified your firm's street address. The potential injury was significant in that your client IOLTA went overdrawn which could have resulted in monies being unable to be disbursed. ABA Standards for Imposing Lawyer Sanctions, Section 4.13 states that Reprimand is an appropriate sanction because you acted negligently and caused potential injury to your clients stemming from your property safekeeping responsibility.

NRPC 8.1 provides that a licensed legal practitioner must respond to information requests from the State Bar in connection with a disciplinary matter. You knowingly breached that duty by not responding to numerous State Bar requests for trust and business account information. These information requests were relevant and important to properly assess your bank's report to the State Bar of a client IOLTA overdraw. You provided incomplete or no information on the three occasions that you did respond to the eight requests for information. ABA Standards for Imposing Lawyer Sanctions, Section 7.2 states that Suspension is an appropriate sanction because you acted knowingly in a repeated violation of a professional duty and caused injury to the legal system.

The Panel found a pattern of misconduct and substantial legal practice experience as aggravating circumstances under SCR 102.5(1)(c) & 102.5(1)(i). The Panel also found an absence of disciplinary record, an absence of selfish or dishonest motive and personal problems as mitigating circumstances under SCR 102.5(2)(a), 102.5(2)(b) and 102.5(2)(c). The Panel found the appropriate sanction to be this Letter of Reprimand and imposition of hearing costs.

Based on the foregoing, you are hereby REPRIMANDED for a violation of NRPC 1.15(a) and 8.1. Please promptly conclude this matter by remitting the minimum costs of \$1,500 within 30 days of the issuance of this sanction. SCR 120(3).

Please allow this reprimand to serve as a thoughtful reminder of your professional ethical obligations. We wish you well in your practice and trust that no similar problems will arise in the future.

Sincerely,

A handwritten signature in cursive script that reads "Michael Oh". The signature is written in black ink and is positioned above a horizontal line.

Michael Oh (Oct 21, 2021 15:27 PDT)

Michael Oh, Esq.
Hearing Panel Chair
Southern Nevada Disciplinary Board

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies a true and correct copy of the foregoing **LETTER OF**
3 **REPRIMAND** was served via email to:

- 4 1. Michael Oh, Esq. (Hearing Panel Chair): Michael.oh@cityofhenderson.com
5 2. Michael Mazur, Esq. (Respondent): mdmazur@gmail.com
6 3. Bruce Hahn, Esq. (Assistant Bar Counsel): bruceh@nvbar.org
7

8 DATED this 25th day of October 2021.

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10 By: Sonia Del Rio
11 Sonia Del Rio, an employee of
12 the State Bar of Nevada.
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