

1 Case No. OBC15-0964



FILED

SEP 20 2017

STATE BAR OF NEVADA
BY: *[Signature]*
OFFICE OF BAR COUNSEL

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

6 STATE BAR OF NEVADA,)
7 Complainant,)
8 vs.)
9 ROBERT DOMICO, ESQ.,)
10 Nevada Bar No. 6272,)
11 Respondent)

PUBLIC REPRIMAND

12 TO: Robert Domico, Esq.
13 Law Offices of Robert H. Domico
14 9972 March Mist Court
15 Las Vegas, NV 89183

16 Mario Murguia complained that as his attorney, you had a conflict of interest by
17 representing him both as his attorney and realtor. According to Murguia, you first met
18 when you worked for the firm of Dixon and Truman. You handled all his legal needs,
19 which were primarily for his business.

20 Murguia indicated that he was looking at possibly listing a piece of vacant land that
21 he owned to see what it was worth. You told him you had a real estate license and
22 would list his property. Murguia signed an authorization to allow you to sell the property
23 on April 12, 2013.

24 Nevada Rule of Professional Conduct 1.8(a) states, " A lawyer shall not enter into a
25 business transaction with a client.... Unless:

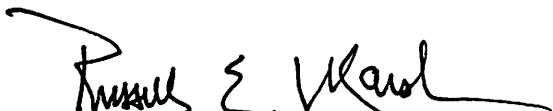
- 1 (1) The transaction and terms on which the lawyer acquires the interest are fair
2 and reasonable to the client and are fully disclosed and transmitted in writing in
3 a manner that can reasonably be understood by the client;
- 4 (2) The client is advised in writing of the desirability of seeking and is given a
5 reasonable opportunity to seek the advice of independent legal counsel on the
6 transaction; and
- 7 (3) The client gives informed consent, in a writing signed by the client, to the
8 essential terms of the transaction and the lawyer's role in the transaction,
9 including whether the lawyer is representing the client in the transaction."
10

11 You failed to advise Murguia in writing about the desirability of seeking
12 independent counsel for the transaction, or give him a reasonable time to seek
13 independent counsel. Murguia never gave informed consent in writing to the essential
14 terms of the agreement and an understanding of your role.

15 Murguia signed a second similar authorization to allow you to sell the property on
16 December 20, 2013. Again, you failed to advise Murguia in writing about the desirability
17 of seeking independent counsel for the transaction, or give him a reasonable time to seek
18 independent counsel. Furthermore, Murguia never gave informed consent in writing to
19 the essential terms of the agreement and an understanding of your role.

20 As such, you violated Rule of Professional Conduct (RPC) 1. 8 (Conflict of
21 Interest: Current Clients: Specific Rules) and are hereby **PUBLICLY REPRIMANDED**.
22

23 DATED this 19th day of October, 2016.

24 
25 _____
Russell E. Marsh, Esq., Hearing Panel Chair
Southern Nevada Disciplinary Panel